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Public Policies and Homelessness

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Introduction

My bachelor thesis is entitled “Public Policies and Homelessness”. The problem of this thesis focuses mainly on the homeless, people on the verge of homelessness, and also on the poor. The thesis concerns statistics related to homelessness, the history of homelessness, the conditions in which such people live, as well as the legislation of individual countries and organizations, programs and measures aimed at preventing and combating this phenomenon.

I believe that homelessness is a problem of exceptional value due to the fact that it is very human and focused on the suffering of many lonely individuals as well as families. It is a social pathology that affects millions of people, and little is heard about it, despite the fact that in everyday life everyone has encountered such a person at some point.

The aim of this thesis is to draw attention to the global problem that concerns human lives, often excommunicated and abstracted, and to show what paths and with what results individual countries have chosen to reduce the scale and possibly end homelessness. The thesis focuses on the problem of homelessness in the USA, Finland and Poland.

The thesis is divided into 4 chapters. The first chapter introduces the concept of homelessness and focuses on the general nature of homelessness, addresses the broad definition of homelessness and analyzes its concept. This chapter also describes the types, reasons and consequences of homelessness. An additional point is the description of homelessness during a pandemic, i.e., how homeless people are forced to function in this difficult period and what help is provided to them in connection with the COVID-19 virus.

The second chapter focuses on the problem of homelessness in the USA, the standard of living as well as legislation and real help for the homeless. It describes the functioning of the state and how the country deals with the homeless.

Similarly, the third chapter focuses on homelessness in Finland, the only country that seems to be tackling the problem with a positive tone. The third chapter describes how Finland is a welfare state and its highly developed public administration. The chapter also focuses on the legislature and organizations involved in combating homelessness.

The last, fourth chapter focuses on all of the above-mentioned threads, but in the Republic of Poland. It includes both the question of statistics on the homeless, as well as the legal and enforcement side. The chapter also describes governmental and non-governmental organizations focused on preventing and combating homelessness.

Theoretical, legal and empirical methodologies of research were applied while writing this thesis.

3 May 2021, Wrocław

Chapter 1

Introduction to homelessness problem

1.1. The nature of homelessness

In this part of my thesis, I would like to examine the nature of homelessness. It has to be noted that homelessness is a global and boundless phenomenon which in the past used to be acknowledged only in big agglomerations. One of the main reasons that contributed to the spread of homelessness in the 19th century was the Industrial Revolution, during which people started moving from rural communities to cities and the transition from agrarian to urban society brought new social problems, including homelessness.¹ Nowadays people living on the streets are seen in substantially every city, not only the big ones.² Practically, all individuals affected by this circumstance are susceptible to social stigma and rejection. The rights of people who are in a crisis of homelessness are very often violated³, and their access to social welfare is often limited, thus this particular group of people is often given little or no perspective for a better life and therefore has a less of a possibility to change their housing, working, and overall living situation.⁴

In the big rush of capitalism, we, as the world's population tend to value money over anything, and people, who have never found themselves in a situation of lacking a place to live, sometimes seem to lose their morals and act in an unsympathetic way. Hence, we often forget that a homeless person is also a living and human being, those people are being alienated from

¹ See: E. Bassuk, D. Franklin, *Homelessness Past and Present: The Case of the United States, 1890-1925*, "New England Journal of Public Policy" 1992, Vol. 8, Issue 1, pp. 3–23.

² R. Mędrzycki, *Problem bezdomności w świetle wybranych regulacji prawnych*, "Przegląd Legislacyjny" 2016, No. 4, p. 35. Own translation from Polish language.

³ A. Płoszka, *A Homeless Bill of Rights as a New Instrument to Protect the Rights of Homeless Persons*, "European Constitutional Review" 2020, Vol. 16, Issue 3, p. 1.

⁴ Rzecznik Praw Obywatelskich i Ogólnopolska Federacja na Rzecz Rozwiązywania Problemu Bezdomności, *Skuteczna pomoc w walce z kryzysem bezdomności. Karta Praw Osób Doświadczających Bezdomności – pytania i odpowiedzi*, available at the following website: <https://www.rpo.gov.pl/sites/default/files/ulotka%20o%20Karcie%20Praw%20Ob%C3%B3w%20Bezdomnych.pdf>, accessed: 29.12.2020. Own translation from Polish language.

the society as if they were not as significant as people who are able to make a living for themselves. Homelessness, despite its prevalence and the extent of its occurrence, is one of the poorly understood problems, excessively avoided, and not considered enough. This subject is very often thought of as ignominious and undignified because it is repeatedly being associated with negligence, laziness, inability, dismissiveness and other supplementary negatively marked terms. Therefore, general population usually has little or no mercy towards people affected by this issue, even though there is no single reason for becoming homeless, consequently such people should not be condemned to damnation as a whole. However, people tend to generalize and reduce everyone to a common denominator, which is a very harmful thing to do to such vulnerable and helpless group of human beings. Although homelessness primarily affects the individual, it extends to society en masse. Yet since it is a subject of taboo, governments tend to put this problem aside.⁵

Homelessness is a world-wide social problem, there are no countries that had not been affected by this issue in the past nor in the present, and it seems almost impossible to be resolved.⁶ There might be a correlation, but there is no difference between whether a given country is rich or poor, there are homeless people everywhere – in highly developed countries like for example Germany or England as well as in the Third World countries.⁷ However, the nature of homelessness differs in developed and Third World countries. So, what is homelessness, and what is its nature? According to J. Murphy and K. Tobin in order to answer this question and develop a full understanding of the nature of homelessness, it is required to analyze the scope of this phenomenon.⁸

Comparing the number of homeless people in different countries is not an easy task.⁹ It is mainly due to the fact that definitions of homeless people are different in different legal systems. It has to be noted that estimating the number of homeless people involves the issue of a legal definition of a homeless person. Therefore, it is exceedingly difficult to global estimate the number of those affected by homelessness. It is also due to the fact that some countries do

⁵ A. Clay, *Are the Homeless Taboo? A Theoretical Perspective*, <https://www.homelesshub.ca/resource/are-homeless-taboo-%E2%80%93-theoretical-perspective>, accessed: 29.12.2020.

⁶ R. Mędrzycki, *Problem bezdomności w świetle wybranych regulacji prawnych*, “Przegląd Legislacyjny” 2016, No. 4, p. 35. Own translation from Polish language.

⁷ Homelessness World Cup Foundation: *Global Homelessness Statistics*, <https://homelessworldcup.org/homelessness-statistics/>, accessed: 31.01.2020.

⁸ J. Murphy, K. Tobin, *Homelessness Comes to School*, Corwin Press 2011, p. 20.

⁹ V. Busch-Geertsema, D. Culhane, S. Fitzpatrick, *Common Understanding of Homelessness on a Global Scale Typology and Measurement. IGH Conference on Homelessness in a Global Landscape*, Chicago, 1–2 June 2015, http://media.wix.com/ugd/d41ae6_e111c618653346a49f77d02558eaf9a3.pdf, accessed: 13.04.2021.

not count homeless people. Most countries like for example Poland count their homeless.¹⁰ Their statistics usually include rough sleepers, people living in accommodation for the homeless, and in emergency temporary accommodation.¹¹ Numbers of homeless people vary across each country, still the most common relationship is that the larger the population of a given country, the greater the number of people affected with homelessness. In addition, statistics show that there is a tendency which indicates that impoverished and less developed countries grapple more with this problem.¹²

There are many methodologies of counting the homeless but there is no uniform method for counting the homeless.¹³ Perhaps the most well-known approaches to gauge the size of homelessness is through purported 'point in time' tallies of individuals who are seeking shelter. These are figures that are expected to mirror the quantity of individuals who are homeless on some random night.¹⁴ Based on national reports, it is estimated that no less than 150 million people, or about 2 percent of the world's population, are homeless. However, about 1.6 billion, more than 20 percent of the world's population, may lack adequate housing.¹⁵ According to UNHCR – The United Nations Refugee Agency, in 2007 the population of homeless people in Nigeria amounted to 24.4 million, which meant that there were 1,658 homeless persons per 10,000.¹⁶ That is a huge number compared to 25,000 and 29 per 10,000 in Israel in 2019.¹⁷ The country which stated the smallest amount of homeless people was Japan with 0.004% of the population in 2019.¹⁸ As far as Finland is concerned, the country is one of the few to have a successive history of gradually coming to terms with homelessness. According to The Housing

¹⁰ See: I. Lipowicz, *Uwagi wstępne – ku zmianie polityki publicznej w przeciwdziałaniu bezdomności*, [in:] *Bezdomność. Problemy prawne, innowacyjne rozwiązania*, I. Lipowicz (ed.), Warszawa 2016, pp. 7–14.

¹¹ OECD Affordable Housing Database: *Homelessness Population*, <http://www.oecd.org/els/family/HC3-1-Homeless-population.pdf>, accessed: 22.12.2020.

¹² Homelessness World Cup Foundation: *Global Homelessness Statistics*, <https://homelessworldcup.org/homelessness-statistics/>, accessed: 31.01.2020.

¹³ K. Hopper, M. Shinn, E. Laska, et al., *Estimating Numbers of Unsheltered Homeless People Through Plant-Capture and Postcount Survey Methods*, "American Journal of Public Health" 2008, Vol. 98, No. 8, p. 1438. See more on the following subject: P. Campanelli, M. Salo, L. Schwede L, et al, *Research on Enumerating Homeless Persons: Results of a Census Bureau Test of Alternative Methods*, Washington, DC: Center for Survey Methods Research, US Census Bureau; 1990, *passim*.

¹⁴ E. Ortiz-Ospina, M. Roser, *Homelessness*, <https://ourworldindata.org/homelessness>, accessed: 13.12.2020.

¹⁵ J. Chamie, *As Cities Grow, So Do the Numbers of Homeless*, <https://yaleglobal.yale.edu/content/cities-grow-so-do-numbers-homeless>, accessed: 13.12.2020.

¹⁶ UNHCR – The UN Refugee Agency, *2007 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, <https://www.unhcr.org/4852366f2.pdf>, accessed 29.12.2020.

¹⁷ S. Surkes, *25,000 people said homeless in Israel; social services treat under 10% of them*, 25,000 people said homeless in Israel; social services treat under 10% of them, "Times of Israel", 15 January 2018, <https://www.timesofisrael.com/social-services-treating-under-10-of-the-25000-said-to-be-homeless-in-israel/>, accessed: 31.12.2020.

¹⁸ OECD Affordable Housing Database: Homelessness population, <https://www.oecd.org/els/family/HC3-1-Homeless-population.pdf>, accessed: 22.12.2020.

Finance and Development Centre of Finland in its 2019 report, the country was inhabited by only 4,600 individual homeless units and 264 homeless families and couples.¹⁹

In conclusion, homelessness is undeniably an unpleasant and saddening thing, and no human being deserves such a miserable fate. It is certain that homelessness is a phenomenon present in almost every country, and its size depends on various economic, political and social factors, as well as on how the given country approaches the issue. The said approach, due to its possibilities and diversity, constitutes extremely interesting and multidimensional proposals for solutions to the problem of homelessness. At the same time, if actions are not taken at all or not taken correctly, the problem can only get worse, with the main consequence being human harm. Some may argue that helping the homeless ends with the use of government money and campaigns and charities, few believe that this is a problem that can be completely solved.²⁰

1.2. Concept analysis

Homelessness is often considered as the ultimate and deprecatory embodiment of social exclusion.²¹ This phenomenon is not only related to the lack of a flat or a house, but it is related to many other components, also the inability to function properly in society, to work and pay taxes, and so on. The problem of homelessness is overly complicated, and the genesis of its difficult nature manifests itself in the very definition of the word. As mentioned earlier, practically every country has developed the meaning of the word differently, so it is difficult to fully define what homelessness actually is. It is a concept that has been attempted to elaborate by a number of scientific fields. This attempt was made by, among others, politicians, sociologists, psychologists, educators and criminologists. As a result, we have obtained many different definitions that complement or exclude certain aspects.²²

According to D. Piekut-Brodzka, a homeless person stands for a man who does not own a flat; a man who has left his own flat, an exile.²³ Most broadly, it can be defined as a relatively

¹⁹ "Ara" – The Housing Finance and Development Centre of Finland, *Homelessness in Finland 2019*, [https://www.ara.fi/en-US/Materials/Homelessness_reports/Homelessness_in_Finland_2019\(55546](https://www.ara.fi/en-US/Materials/Homelessness_reports/Homelessness_in_Finland_2019(55546), accessed: 29.12.2020.

²⁰ L. Teixeira, *Why We Need to Change the Way We Talk about Homelessness*, "European Journal of Homelessness: 2017, Vol. 11, No. 2, p. 78.

²¹ S.W. Hwang, *Homelessness and health*, "CMAJ" 2001, Vol. 164, Issue 2, p. 229.

²² S. Szumpich, *Bezdomność jako kwestia społeczna*, "Państwo i Społeczeństwo" 2007, No. 1, p. 86. Own translation from Polish language.

²³ D. Piekut-Brodzka, *O bezdomności i bezdomnych*, Warszawa 2000, p. 27. Own translation from Polish language.

permanent situation of a man without a roof over his head, or without his own apartment.²⁴ A. Nowak describes the concept of homelessness as a symptom of poverty that draws people to the social margin. The lack of a permanent place to live limits the ability to meet basic needs, the individual has no access to biological, hygienic, economic or cultural behaviors, and, very importantly, is stripped of a sense of security. Thus, homelessness is defined as a state in which a person is deprived of the opportunity to meet these needs and at the same time is in no way prevented from these circumstances.²⁵ However, in order to be able to define this phenomenon more fully, it is necessary to look at its various dimensions. The word “home” is not as unambiguous as, for example, in English, where we distinguish it into:²⁶

- 1) “house”, i.e., a house in architectural terms, meaning a house as a building, and on
- 2) “home”, or home as a refuge, a place associated with attachment, family and a sense of security.

It is worth noting that the European Federation of National Organizations Working with the Homeless (hereinafter as: FEANTSA), has developed a typology of homelessness and housing exclusion called ETHOS. FEANTSA is not trying to explain the concept of homelessness, because the subject of this typology is not homeless people, but their housing situations. According to ETHOS, in order to constitute the “home”, three domains should be differentiated, and lack of any of whom indicates homelessness.²⁷ These three domains of home are described as: “1) having a decent dwelling (or space) adequate to meet the needs of the person and his/her family (physical domain); 2) being able to maintain privacy and enjoy social relations (social domain); 3) and having exclusive possession, security of occupation and legal title (legal domain)”.²⁸

Exclusion from one or more domains determines four basic conceptual categories that should be understood as the lack of home, these are:²⁹

²⁴ M. Porowski, *Bezdomność – obraz zjawiska i populacji ludzi bezdomnych*, [in:] *Pedagogika społeczna: człowiek w zmieniającym się świecie*, T. Pilch, I. Lepalczyk (eds), Warszawa 1995, p. 433–434. Own translation from Polish language.

²⁵ A. Nowak, *Bezdomność jako problem społeczny w dobie niepokojącej współczesności (realia instytucjonalne a możliwość niesienia pomocy)*, “Auxilium Sociale” 2005, No. 2 (wkładka informacyjna). Own translation from Polish language.

²⁶ M. Piechowicz, *Bezdomność jako problem społeczny i indywidualny – możliwości profilaktyki*, “Resocjalizacja Polska” 2012, No. 3, p. 328. Own translation from Polish language.

²⁷ K. Amore, M. Baker, P. Howden-Chapman, *The ETHOS Definition and Classification of Homelessness: An Analysis*, “European Journal of Homelessness” 2011, Vol. 5, No. 2, p. 24.

²⁸ *Ibidem*.

²⁹ J. Wilczek, *Programy mieszkaniowe w przeciwdziałaniu bezdomności – dobre praktyki i refleksja systemowa*, <https://www.rpo.gov.pl/sites/default/files/Programy%20mieszkaniowe%20w%20przeciwdziałaniu%20bezdomności%202017.pdf>, accessed: 29.12.2020. Own translation from Polish language.

- 1) “the “roofless” category – people living rough, meaning people living in public space or non-residential places, occasional use of heating houses or another low-threshold facility;
- 2) the “houseless” category – living in shelters for the homeless, facilities for victims of violence, temporary and supported housing, facilities for migrants and refugees, situations of imminent leaving the institution (criminal, medical, foster care) without housing solution, long-term accommodation for people who used to be homeless;
- 3) the “unsecured” category – staying with family or friends, renting a flat without a contract or occupying it without a legal title (squatting), living in a flat with an eviction sentence, living in a flat where domestic violence is used;
- 4) the “inadequate” category – living in any unusual constructions that do not constitute a flat in accordance with the legal definition (shelters, caravans, gazebos), living in basic and extremely overcrowded premises.”

Apart from the sociological definition of homelessness, the focus should also be put on the legal definitions, which, although slightly different and less human, are also an important element of defining homelessness. Legal definitions are used in legal and administrative matters and are important from the legal point of view. Therefore, it is indispensable for the proper enforcement of the law, and thus the proper functioning of the state. However, a lot of countries have their own definitions of homelessness, and these are mostly similar with minor differences.

In Polish law, the definition of a homeless person can be found in the Act on Social Welfare of 12 March 2004,³⁰ which has been in force since 2004. According to its Article 6, point 8, a homeless person is “a person who does not live in a dwelling within the meaning of the provisions on the protection of the rights of tenants and the housing stock of the commune and is not registered for permanent residence, within the meaning of the provisions on population records, as well as a person who does not live in a mixed flat and is registered for permanent residence in the premises, in which there is no possibility of living.”³¹

One can also find a legal definition of a homeless person in the law of the United States. The United States Code in para 11302 states that a homeless individual means i.a. “(1) an individual or family who lacks a fixed, regular, and adequate nighttime residence; (2) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park,

³⁰ Act on Social Welfare of 12 March 2004 (Journal of Laws 2020, item 1876 with further amendments) [*Ustawa z dnia 12 marca 2004 r. o pomocy społecznej (Dz. U. z 2020 r., poz. 1876 ze zm.)*].

³¹ See: Article 6 point 8 of the Act on Social Welfare. Own translation from Polish language.

abandoned building, bus or train station, airport, or camping ground; (3) an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing).³² According to this article a homeless person is also “an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided”³³. Contrary to the Polish definition of homelessness, the definition from the U.S. Code quoted in fragments is much broader and covers many situations that allow a person to be considered homeless.

It has to be noted that international and European Union law focuses on the battle against poverty and social exclusion. One of the effects of homelessness is social exclusion and poverty leads to homelessness. Therefore, acts of international and EU law should be examined to the extent that they cover the problem of homelessness. The European Union (hereinafter as EU) is constantly working on new proposals for solving homelessness, promoting knowledge, facilitating the access of homeless people to various sources of social assistance and other centers. An important example being The EP Declaration from 2008 on Ending Street Homelessness, which approached the EU Council to consent to make a joint move inside the EU to handle street homelessness by 2015 and the introduction of a definition of homelessness by the European Commission.³⁴ Another interesting proposal is the European Parliament resolution of 14 September 2011 on homelessness, which addresses important issues such as the need for regular homelessness surveillance at EU level, the need to lead exploration and accumulate information with respect to strategy and related administrations, and to bring social developments into such approach and related administrations.³⁵ However, special attention should be paid to the Treaty on European Union (Article 3)³⁶ and the Treaty of the Functioning of the European Union (Articles 9 and 208)³⁷ as both treaties focus on the recognition that the fight against poverty and social exclusion, which often leads to homelessness, is an overarching goal of the EU.³⁸ When it comes to the newest actions of the EU, on 24 November 2020, during the plenary session the

³² See: 42 U.S.C. § 11302, <https://www.law.cornell.edu/uscode/text/42/11302>, accessed: 29.12.2020.

³³ *Ibidem*.

³⁴ The European Parliament Declaration 111/2008 on Ending Street Homelessness (OJ EU C 259 E, 29 October 2009).

³⁵ Resolution of 14 September 2011 on the European Union Strategy for Prevention of Homelessness (OJ EU C 51 E, 22 February 2013).

³⁶ Treaty on European Union (consolidated version) (OJ EU C 326, 26 October 2012).

³⁷ Treaty on the Functioning of the European Union (OJ EU C 326, 26 October 2012).

³⁸ D. Cendrowicz, *Homelessness and the European Union's Initiatives to End It*, “Białostockie Studia Prawnicze” 2018, Vol. 23, No. 2, p. 56.

European Parliament affirmed a progression of suggestions to battle homelessness. These are:³⁹ taking precautions in the fight against homelessness, acting to deter and take immediate protective action; improving healthcare, education, and social welfare coverage; development of tailored training, services, and assistance to help people integrate into the job force; actions to prevent eviction (particularly in the event of a pandemic) and funding non-governmental organizations and local governments tasked with providing housing for the homeless access to evacuation shelters on a permanent basis. Member States have also committed to decriminalizing homelessness, cooperating to find the best way to address homelessness, standardizing the collection of homelessness data, and incorporating community-based and housing-based long-term homelessness solutions.⁴⁰

To conclude, the concept of homelessness as a whole constitutes an extremely complex issue that cannot be clearly defined. However, it can be stated unanimously that all legal definitions are drafted in a way that explains the term formally, are complex and difficult to understand, while social definitions seem to be more human and oriented towards man and his harm, thus not towards dehumanized legal aspects. I believe that due to the fact that each country adopts different definitions, different measures are also taken to counteract this phenomenon.⁴¹ It is important that states do not ignore such a serious problem and make various attempts to solve it in order to improve the lives of both homeless people and the general public.

1.3. Types and causes of homelessness

Stereotypically, a homeless person is perceived as someone dirty, neglected, stumbling along the streets with all his or her life belongings, that is, everything that they own. Usually these are things that they find on the street, or they manage to get from some sources of social assistance. The homeless are constantly assigned the worst qualities, they are called lazy, alcoholics or drug addicts. It is true that there are such people but reducing them to a whole is detrimental to individuals who have been left homeless with a host of other problems, such as illness and lack of resources for treatment, insufficient pensions, and lack of support for mothers

³⁹ European Union Parliament News, *EU should set goal to end homelessness by 2030*, <https://www.europarl.europa.eu/news/pl/press-room/20201120IPR92124/eu-should-set-goal-to-end-homelessness-by-2030>, accessed: 31.12.2020.

⁴⁰ *Ibidem*.

⁴¹ See more: V.K. Mago, H.K. Morden, C. Fritz, *et al. Analyzing the impact of social factors on homelessness: a Fuzzy Cognitive Map approach*, *BMC Med Inform Decis Mak* 13, No. 94, 2013.

raising children who fled from conditions of domestic violence and much more. Homelessness is such a broad concept that it is difficult to alienate all the reasons why a person becomes homeless, because there are many of them. Such a high degree of marginalization of this social group is largely due to the lack of social awareness.

In homelessness research and policymaking, it seems to be axiomatic that single adults experience 3 temporally based types of homelessness: chronic, episodic, and transitional.⁴² For example, the United States Code of Federal Regulations apprehends the term “chronically homeless” in three manners. In the principal point it is expressed that chronically homeless stands for a “homeless individual with a disability”, who does not live in a place implied for home of people, nor in a facility or some kind of safe space and has been homeless for a year or more or has a background marked by being homeless at any rate multiple times during the previous 3 years. Moreover, the quantity of months invested homeless in the span of those 3 years should join in a year all together, and the space between being homeless and having a position of stay should cover at any rate 7 back-to-back nights spent without a shelter. Remains in institutional consideration offices for less than 90 days does not establish as a break in homelessness. Additionally, as per the Federal Government of the United States chronically homeless might be likewise presented as an individual who has been remaining in an institution, for example, prison, clinic, an office concerning improvement from mental, drug, or liquor misuse issues, or a comparable facility.⁴³ The Federal government features a third sort of chronically homeless, which establishes of a family with a head of family unit (it might be a grown-up, however, could likewise be a minor, if there are no grown-ups in the family), who meets the entirety of the standards depicted beforehand, “including a family whose composition has fluctuated while the head of household has been homeless.”⁴⁴

When it comes to episodic homelessness, it touches individuals, who are usually younger and struggling with some sort of medical condition, or substance abuse, which affects their health. Those are people who are experiencing homelessness at the moment, and who have been homeless at least 3 times in the past year.⁴⁵

Next, the third type of homelessness is known as transitional homelessness, which is actually the largest group of all. Those people also generally tend to be younger individuals,

⁴² W. McAllister, M.C. Lennon, L. Kuang, *Rethinking Research on Forming Typologies of Homelessness*, “American Journal of Public Health” 2011, No. 4, April 1, 201, p. 596.

⁴³ See: 24 C.F.R. § 578.3, <https://www.law.cornell.edu/cfr/text/24/578.3>, accessed: 29.12.2020.

⁴⁴ *Ibidem*.

⁴⁵ S. Jaggi, *The Many Forms of Homelessness*, <https://joinpdx.org/the-many-forms-of-homelessness/>, accessed: 29.12.2020.

who might have experienced some kind of traumatic event, or whose life situation has dramatically changed. This type of homeless persons usually decides to stay in a shelter or some other facility only once and for a short period of time.⁴⁶

The next type of homelessness is often forgotten because it is not recorded in the statistics of homelessness. The reason for that is because those are the people, who stay with their family, or friends, because they lack their own housing, and they have no perspective for acquiring permanent housing in the near future. This type is often referred to as the “hidden homelessness”, mostly because those people have no access to homeless supports and services, even though they are in need just as much as other people experiencing homelessness of any other kind.⁴⁷

Homelessness is often incorrectly associated with a male-only phenomenon. The truth is that men constitute the most numerous groups in the homeless community. Nevertheless, this scientifically proven fact causes that in human consciousness this phenomenon is associated exclusively with the male gender, thus people tend to attribute homelessness exclusively to male characteristics.⁴⁸ Although homelessness affects them less in terms of numbers, it cannot be translated into a level of suffering that is the same if not greater than that of men.

The extent of ladies among the grown-up homeless populace expanded all through the 1970s and 1980s and is presently assessed at somewhere in the range of 10% and 25%. Ladies with youngsters are currently the quickest developing section of the homeless in the USA.⁴⁹

Table 1. Age of homeless in the United States

Age of homeless women compared to men: American studies			
Study	Men:Women	Men	Women
Bassuk et al. (1984) n=78	83%:17%	Median age 33.8	
Arce et al. (1983)	150:43	47% under 40	
Bassuk et al. (1986)	0:80	Median age 27	
Breakey et al. (1989)	298:239	39.7	32.9

⁴⁶ *Ibidem*.

⁴⁷ V. Busch-Geertsema, *Defining and Measuring Homelessness*, [in:] *Homelessness Research in Europe*, B. Edgar, J. Doherty (eds), European Observatory on Homelessness 2010, p. 35, <https://www.feantsaresearch.org/download/ch013303200488323787194.pdf>, accessed: 29.12.2020.

⁴⁸ M. Dębski, *Sytuacja bezdomnych kobiet w województwie*, [in:] *Forum. O bezdomności bez lęku*, Ł. Browarczyk (ed.), Gdańsk 2008, p.4. Own translation from Polish language.

⁴⁹ E.J. Marshall, *Homeless women*, [in:] *Homelessness and Mental Health*, D Bhugra (ed.), Cambridge University Press 1996, p. 59.

Lipton et al. (1983) n=100	75:25	63% aged 20-39
Smith & North (1994)	0:300	29

Source: E.J. Marshall, *Homeless women*, [in:] *Homelessness and Mental Health*, D Bhugra (ed.), Cambridge University Press 1996, p. 66.

It has to be noted that homeless women are a miscellaneous group, and there are a few ways of classification. In the case of women classification might seem helpful, due to the fact that features the existence of different groups. Although some women may be put into a few of them, so the classification does not show the real results. One of methods is based on the presence or not of children, which distinguishes women into a few subgroups, such as: women without children, mothers with children present and mothers without children present. Another way of classification executes by using a temporal system. Classification according to type branches homeless women into the young single homeless, older single homeless and homeless women with children. The third proposition of classification pursuant to location distinguishes homeless women into those sleeping rough, staying in hostels or shelters, residents of bed and breakfast hotel accommodation and other situations.⁵⁰

Another topic that is as rarely associated with homelessness as women is homelessness among children and adolescents. Interestingly, it is one of the fastest growing group among other types. The two main emerging trends concern children in homeless families and unaccompanied adolescents experiencing homelessness.⁵¹ This type very often results from the homelessness of the parents, and the child who is born homeless begins his life from the socio-economic level actually below zero. A young man who has never had a roof over his head is in a more difficult position than adults who have become homeless. An adult person has greater mental and physical immunity, as well as experience and understanding of how the world works. A person who is born homeless has a disturbed perception of the world, and the lack of help and care may result in a gradual deepening of this deviation. People who have never known “normality” will only find it harder to pursue it, since they never tasted it, they really do not know what it is. The other type touches upon unaccompanied individuals below the age of 18,

⁵⁰ E.J. Marshall, *Homeless women*, [in:] *Homelessness and Mental Health*, D. Bhugra (ed.), Cambridge University Press 1996, p. 64.

⁵¹ FEANSTA European Federation of National Organisations Working with the Homeless, *Child Homelessness in Europe – An Overview of Emerging Trends*, June 2007, https://www.feantsa.org/download/en_childrenhomeless-17128526693267845478.pdf, accessed: 30.12.2020.

who experience homelessness. Those are homeless children, meaning chronically homeless since an incredibly young age, often known as street youth. Next, children who run away or have been thrown away from their homes or other facilities and left on their own. And the following are minors who are leaving establishments, such as correctional institution or child-care homes, who are at risk of becoming homeless since they do not have any family and relatives or a house on their own.⁵²

Homelessness is a state of a number of enormous causes, and its origins are also varied, thus it is related to the widely understood definition of this phenomenon. Homelessness may result from social and economic factors, the sources of homelessness can be seen in family, or economic relationships, but it may as well depend on personality predispositions. Since each individual has been brought up in his or her own way, all people are different, have different limits and their resistance to various life dramas is also different, so we cannot outline just a few reasons for becoming homeless. K. Wierzbicka pointed to the existence of a syndrome of five factors contributing to the emergence of homelessness. These are: personality factors, environmental factors, systemic factors, health factors, and random chance.⁵³

However, we are able to distinguish the 3 most general pathways into homelessness. The first is voluntary homelessness i.e., homelessness that concerns people, who voluntarily choose homelessness and the lifestyle that follows it. We distinguish the next source as homelessness caused by objective reasons i.e., reasons that do not depend on a human being. Then the third cause is described as arising from the development of civilization.⁵⁴ In addition, due to the diversity of countries, it is difficult to isolate the main causes of the development of homelessness. Due to the fact that the society in each country has a different mentality, culture, develops differently and has access to other resources, both those for aid and support, i.e., financial resources and social assistance, at the same time some countries have easier access to addictive substances such as stimulants and their components, which contribute to the spread of homelessness.

In conclusion, when analyzing the causes of homelessness, it should be assumed that homelessness is a phenomenon that can affect everyone because most people who are now homeless used to have a home in the past. The most general assumption is that homelessness occurs as a result of complex events in the individual and social dimension, and such events

⁵² *Ibidem.*

⁵³ K. Wierzbicka, *Problem bezdomności w Polsce*, [in:] *Strefy niedostatku i nędzy mieszkaniowej w Polsce*, E. Kuminek (ed.), Warszawa 1990, p. 91 and next pages. Own translation from Polish language.

⁵⁴ J. Mazur, *Bezdomność. Szkice z socjologii, polityki społecznej i katolickiej nauki społecznej*, Lublin 2006, p. 12. Own translation from Polish language.

affect every individual in the life span of each person, but people differ in physical and mental efficiency, and in many cases, it is the presence or absence of these two factors that determines someone's fate.⁵⁵

1.4. Consequences

The reality of homelessness really exists beyond the horizon of a person who has never experienced it. As I. Pospiszyl writes, “homelessness is a process which, if it lasts over time, causes profoundly serious and irreversible consequences of an individual's life. Its final effect is the redefinition of oneself, a change in self-identification, marking oneself with the status of a homeless person, personal degradation”.⁵⁶

Another repercussion of homelessness is degrading health condition, both physical and mental, due to the extreme difficulty of the situation of the homeless. People experiencing this condition are exposed to various weather conditions, being in heat or excessive cold causes various health problems, from hypothermia and overheating to chronic diseases. In the context of mental health, as mentioned earlier, people often become homeless because they are not immune to various life situations, so if a person becomes basically isolated from society and becomes an outcast, feelings of rejection and alienation have a number of psychological consequences, such as breakdowns, disorders and incurable mental illnesses that require pharmacological treatment. Moreover, various types of addiction are not only the cause but also the result of homelessness. People who are pushed to this social margin often resort to measures that seem to diminish their suffering, but in fact they are harmful and addictive drugs that only aggravate their apathy. Additionally, due to their condition, these people most often become conflicted and alienated from their families, friends and other people break off contact with them and end their relationships.

Homeless people suffer from a lack of a sense of security because they do not experience a state of rest, they do not have their oasis, they are practically in constant motion, even if they find shelter, it is never permanent, always only temporary, which can cause excessive stress. Another example of the impact of homelessness is that homeless people have limited or no access to normal social and cultural activities, such as professional work. Another example

⁵⁵ S. Szumpich, *Bezdomność jako kwestia społeczna*, “Państwo i Społeczeństwo” 2007, No. 1, p. 89. Own translation from Polish language.

⁵⁶ I. Pospiszyl, *Patologie społeczne*, Warszawa, 2019, p. 295. Own translation from Polish language.

of the consequences of homelessness is also the fact that homeless people often accumulate in communes with people who are in the same situation and live cooperating with each other to ensure optimal conditions for functioning. This aspect also has political implications, as such communes become a problem for cities and the authorities often have to carry out evictions of such places. Such situations took place in Berlin, which after the demolition of the Berlin Wall became the “capital” of squatting and so far, there have been evictions of homeless people who illegally occupy tenement houses.

In conclusion, the consequences of homelessness may extend as far as to severe. However, many people experience homelessness only for a short period of time, although this knowledge was acquired from a national survey conducted in the USA. The respondents answered the questions according to their personal experience, but this way of conducting research on the homeless excludes those who experience this state in the present moment and those who do not have access to a telephone. For this reason, this data is not particularly reliable in terms of the mainspring of homelessness, but it can be used to tell how common it is for people to manage to recover from this condition.⁵⁷

1.5. Homelessness in the era of pandemics

Although it might seem that the situation of the homeless community is so difficult and hopeless that there is no way to worsen it. However, the thesis that it can always get worse was confirmed by the outbreak of Pandemic, which brought the life of these helpless people to a critical level.⁵⁸

These people are highly exposed to infection and they have limited access to hygienic and preventive measures to spread the disease. Additionally, if they become infected and require treatment, they have no money for it, especially if their condition requires hospitalization. Most hospitals are overcrowded by COVID-19, hence homeless people are not treated as a priority in this situation, nor on a par with the rest. In a country where healthcare is privatized, a homeless person cannot afford insurance, let alone paying a hospital bill, so such people are condemned to not receiving medical assistance if they require hospitalization. Consequently,

⁵⁷ D. Levinson, *Encyclopedia of homelessness*, Sage Publications, 2004, p. 248.

⁵⁸ See more on the subject: *The impact of COVID-19 on homeless people and services*, “Homelessness in Europe. A Magazine by Feantsa”, Autumn 2020, pp. 1–51.

they are practically doomed to death. It is important to mention that the death rate among homeless people under the age of 65 is as much as 5 to 10 times higher than among those who have a permanent home and continued spreading of the COVID-19 virus has a good chance of increasing this imbalance negatively.⁵⁹

Another aspect that contributes to the subject of COVID-19 is the fact that a lot of homeless people deal with chronic mental and physical states, they often tend to abuse substances that also involve sharing objects such as bottles and needles, those people often lack the access to health care, so the issues stated above could prompt expected issues with screening, isolating, and treating individuals who might get infected.⁶⁰ In addition, homeless people tend to move a lot, so it is impossible to estimate the number of infections and cures in this group.

Institutions addressed to the homeless are usually shelters, night shelters and the like, i.e., places where people are actually stored in one or more rooms, where a single individual has no private, separate sphere except for a single bed. This is because these facilities are poorly paid, lack the resources or have enough space for the number of homeless people. This kind of assembly of people who frequently relocate in one place is an ideal environment for spreading the virus. Homeless people who are deprived of livelihood cannot provide themselves with the means to prevent infection, so they should have such resources. In addition, these people have limited access to the media, which makes it more difficult to inform them about restrictions that change from day to day due to the pandemic pace.

The situation during the reign of the virus is serious and heads of state should propose and adopt as many offers as possible to help homeless people exposed or infected with COVID-19. The following are examples of action proposals presented in Poland.⁶¹ When it comes to interinstitutional cooperation at the level of local government units, hospitals, ambulance stations, sanitary and epidemiological stations, non-governmental organizations running facilities for the homeless, police, city guards, railway guards with the support of Ministry of Family, Labor and Social Politics and Ministry of Health developing detailed safety procedures for facilities for the homeless the focus should be put on developing detailed safety procedures for homeless people in public space, simplifying the procedures for donating food from Food Banks

⁵⁹ J. Tsai, M. Wilson, *COVID-19: a potential public health problem for homeless population*, *Lancet Public Health*, March 11, 2020, [https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(20\)30053-0/fulltext#articleInformation](https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(20)30053-0/fulltext#articleInformation), accessed: 29.12.2020.

⁶⁰ *Ibidem*.

⁶¹ Rzecznik Praw Obywatelskich i Komisja Ekspertów ds. Przeciwdziałania Bezdomności w sprawie sytuacji osób w kryzysie bezdomności w okresie stanu zagrożenia epidemicznego, <https://www.rpo.gov.pl/pl/content/korona-wirus-rpo-i-komisja-ekspertow-ds-przeciwdzialania-bezdomnosci-w-sprawie-sytuacji-osob-w>, accessed: 29.12.2020. Own translation from Polish language.

to NGOs, developing detailed procedures and safe places of food distribution for people staying outside establishments and providing information for catering entities and grocery stores about the possibility of donating food to facilities for the homeless. Another important aspect constitutes of actions towards people staying in facilities for the homeless, control of the supply of protection and disinfection agents, those include current replenishment of the supply with means of protection and disinfection and distribution of information materials on safe behavior. Also, in case of suspected infection, immediate hospital quarantine and tests for the presence of COVID-19. Next, actions against people in public space control of non-residential places, streets, stations, public transport stops, parks, etc. Those are immediate hospital quarantine for people with flu symptoms and tests for the presence of COVID-19 in case of suspected infection and safe food distribution. An especially important thing that should not be forgotten is measures towards people at risk of homelessness temporary rent exemptions and measures to stabilize or reduce rents. With regard to tenants of communal premises or premises from public resources, who have lost their ability to earn money due to the adopted security measures, rent exemptions should be introduced. For other tenants who currently do not have income due to the prevailing situation – introduction of direct financial assistance to mitigate the effects of the lack of earnings and allow them to pay the rent. Another proposition is a moratorium on evictions due to rent and mortgage arrears and deferral of mortgage repayments for those affected by the virus or financial impact of the measures taken. Extension of winter eviction ban periods and suspend utility and other additional charges, at least for the duration of the pandemic also has been proposed.⁶²

To summarize, in the current era of the pandemic, it may seem that people have split into two main groups, those who fear for their health and those of their loved ones, who comply with the government's recommendations and expect the vaccine to arrive, and those who believe that the virus does not exist or should not be considered seriously. The same might apply to the homeless. Assuming that there are homeless people who are afraid for their lives and do not want to get infected with COVID-19, it should be remembered that there is also a group that may not care about the current situation and thus pose a threat to the entire society by escalating the disease. Therefore, proper care and support for this particular group of citizens is in everyone's interest and is an essential element in preventing the spread of the virus.

⁶² See more: *Pomoc dla bezdomnych w czasie epidemii*, <https://www.gov.pl/web/rodzina/pomoc-dla-bezdomnych-w-czasie-epidemii>, accessed: 23.03.2021.

Chapter 2

Public Policies to End Homelessness in the United States

2.1. Homelessness in the United States

In the following chapters of my elaboration, I am going to discuss how homeless people live in individual countries, what policies are adopted in relation to them and what systems of assistance for the homeless are implemented. In this section, I will consider the case of the United States of America.

The United States is one of the most powerful global players. It is a huge, highly developed country, one of the richest in the world, with a population of 332 million.⁶³ A state of such amount of power is hardly associated with poverty. Nonetheless, according to the Annual Homeless Assessment Report to Congress point-in-time counts carried out in the States in 2019, as many as 567,715 people, so about 17 of every 10,000 people were affected by homelessness for one night.⁶⁴ A little over half a million people may not seem like a lot compared to the US population as a whole. However, it is one of the countries where homelessness is a subject that stands out not only because such an “image” contrasts with such a highly developed country, but also because homeless people are found everywhere. Nothing could be more far from the truth than idealizing the USA, although it might seem like a great country with a developed economy, it should not be forgotten that it is also a country of contradictions and income amplitudes, a country where the rich get richer, and the poor get poorer on an enormous scale.

It is worth paying attention to examines conducted in 1994 and both 1997 and 1999. These studies have found that among adults in the United States, lifetime “literal homelessness” rates range from 6 to 8 percent. In addition, of those who experienced homelessness, about 40%

⁶³ United States Population Live, <https://www.worldometers.info/world-population/us-population/>, accessed: 7.01.2021.

⁶⁴ The 2019 Annual Homeless Assessment Report (AHAR) to Congress, <https://www.huduser.gov/portal/sites/default/files/pdf/2019-AHAR-Part-1.pdf>, p. 8, accessed: 7.01.2021.

declared that they had been homeless for less than one month in their entire life. As many as 50% of the rest declared that they had been affected by this phenomenon for a period longer than a month, but shorter than or equal to one year. In contrast, 10% reported that they have been homeless for more than a year.⁶⁵

Returning to the Annual Homeless Assessment Report to Congress figures, it can be seen that 63 percent of the 0.57 million homeless individuals were in safe areas such as emergency shelters or temporary housing facilities, while 37 percent were living in unsheltered areas such as city streets, abandoned homes, or other locations not appropriate for human occupancy.⁶⁶ Additionally, of this number, children constitute as high as 37%, 8% are veterans, and what is worth mentioning, 48% of all suffer from some type of disability.⁶⁷

The United States is one of the most ethnically diverse countries in the world, but still racial discrimination stands out there even in terms of such a low social level as homelessness. Despite accounting for just 13% of the US population, African Americans continue to rate overwhelmingly high in the rankings, contributing for 40% of all homeless people in the country (225,735 people). Furthermore, Hispanic or Latino immigrants account for about 22% of the homeless population but just 18% of the general population. White people, on the other hand, make up 77% of the population and account for just 8% of the homeless.⁶⁸ This is an enormous difference.

One measurement in terms of data that is significant with regard to appraising how to undertake the issue of homelessness is the spread of those people. Interestingly, on one January night, almost the majority of those experiencing homelessness were located only in California, New York and Florida. California comes first with 27% or 151,278 people, then New York with 16% or 92,091 people and Florida with 5% or 28,328 people. This means that in these states the concentration of the homeless is the largest, but the states with the highest homelessness counting on 10,000 inhabitants are as follows: The District of Columbia where there were as many as 94 out of 10,000 homeless people, New York with a result of 46, Hawaii – 45, both California and Oregon had 38 individuals, and Washington with 29, each altogether higher than the public standard of 17 people for every 10,000.⁶⁹ It can be seen that New York and California rank on the podium in terms of the number of homeless people, as well as in terms of their level

⁶⁵ D. Levinson, *Encyclopedia of homelessness*, Sage Publications, 2004, p. 248.

⁶⁶ The 2019 Annual Homeless Assessment Report (AHAR) to Congress, <https://www.huduser.gov/portal/sites/default/files/pdf/2019-AHAR-Part-1.pdf>, p.8, accessed: 7.01.2021.

⁶⁷ A. Khurshid, A. Gadnis, *Using Blockchain to Create Transaction Identity for Persons Experiencing Homelessness in America: Policy Proposal*, “Journal of Medical Research Protocols” 2019, Vol. 8, p. 1.

⁶⁸ The 2019 Annual Homeless Assessment Report (AHAR) to Congress, *op. cit.*, p. 1.

⁶⁹ *Ibidem*, p. 12.

per 10,000 inhabitants, but Florida, which remains in 3rd place in number, has only 5 homeless units per 10,000 inhabitants.⁷⁰

The above statistics proved that the problem of homelessness in the United States is quite drastic, but also multi-level and complex. If the numbers are so large, what makes them? Back in 1984, then-President Reagan caused considerable astonishment with his words in an interview, “Homeless Choose to Be, Reagan Says” was the title of an article in The Washington Post. Interestingly, the White House corrected his statement to the point that a few examinations revealed that as much as 25 percent of the homeless deny help from government organizations.⁷¹ Therefore, do people really choose to be homeless? The answer is that in reality, no one chooses to be homeless, it is just a myth not based on real events. The true reasons behind why homelessness is not voluntary but coercive and final consists of a few components. These include, for example, that homeless shelters have no place or not enough beds for those in need, and most shelters require asylum seekers to be clean and sober before they are admitted, and if they fail to maintain this condition, they may be expelled. Another example is the fact that homelessness assistance programs are extremely limited and there are no programs that would allow people on the street to sober up.⁷² It might seem that governmental and non-governmental organizations do not treat addiction problems as diseases requiring treatment if they only offer help if the person struggling with substance abuse can deal with them by themselves, which sounds ridiculous from the perspective of a sick person and is almost impossible to execute. In my opinion all organizations should treat people dealing with misuse of substance and offer them the proper help and support in order for them to recover from both their personal problems and addictions as well as homelessness. However, providing help, per say to people struggling with addiction is not easy. It is often forgotten that there is a whole spectrum of addictions that governments and organizations tend to limit to alcohol and drug abuse. Another interesting aspect in this case is the fact that in the American capital of gambling – Las Vegas, a very touristic city, there are also homeless people who do not originally come from there.⁷³ The homeless of Las Vegas are often referred to as the mole people because some of them live in the flood tunnels located beneath the city. This is not the main reason, but it happens that these

⁷⁰ *Ibidem*, p.12.

⁷¹ J. Williams, *Homeless Choose to Be, Reagan Says*, The Washington Post, 1984, <https://www.washingtonpost.com/archive/politics/1984/02/01/homeless-choose-to-be-reagan-says/781996b6-ab3b-499b-96ea-38155d1c5127/>, accessed: 13.01.2021.

⁷² Ch. Schanes, *Homelessness Myth #14: They Choose to Be Homeless*, The Huffington Post, 2010, <https://www.homelesshub.ca/resource/homelessness-myth-14-they-choose-be-homeless>, accessed: 12.01.2021.

⁷³ See more: K. Borchard, *Between poverty and a lifestyle: The leisure activities of homeless people in Las Vegas*, “Sage Publications, Journal of Contemporary Ethnography” 2008, Volume 39, Issue 4, pp. 441-466.

are people who have lost all their money playing at casinos and cannot even afford to return home. This is one of the reasons why homelessness is such a complicated problem, because the authorities are unable to determine if someone is even struggling with an addiction (until they ask for help themselves) and thus prevent homelessness.

2.2. Homelessness legislation

It may come across as surprising that in the most prosperous economy in the world there are individuals and whole families who have been left homeless and have to wander through shelters, hostels, sleep in cars, and ultimately on the streets. This implies that the country's political system is not at all as efficient and functioning properly as it might seem and raises doubt about the essential working of the social wellbeing net and proposes that something is profoundly amiss with the political and monetary needs of the nation. Despite the fact that the economy of the United States in the period from the end of the 20th century to the beginning of the 21st century experienced many fluctuations and grew in strength to decline in a moment, it was at this time that homelessness in the USA began to be a significant and rapidly developing problem.⁷⁴ Due to the ineffective and flawed conduct of homelessness policy in the United States for many years, this phenomenon is a remarkable issue and a challenge for current and successive governments.

The cost of living in the United States is among the highest in the world, especially if one has other dependents.⁷⁵ High purchase and rental prices for apartments and houses, private and awfully expensive medical care, high taxes which make practically everything expensive. These are the components that contribute to the exacerbation of the poverty problem, the consequence of which is homelessness.

As I mentioned, the main period of the development of homelessness in the USA was the end of the 20th century, but the problem has existed for a long time, but on a smaller scale. Having said that, when it began to rise in the 1970s, one of the first U.S. government actions to

⁷⁴ J. Calterone Williams, *The Politics of Homelessness in the United States*, p. 1, <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199935307.001.0001/oxfordhb-9780199935307-e-153?print=pdf>, accessed: 13.01.2021.

⁷⁵ N.C. Chien, R.S. Mistry, *Geographic variations in cost of living: associations with family and child well-being*, "Child Development" 2013, Vol. 84, Issue 1, pp. 209–225.

prevent homelessness and housing problem was adopted in 1974 the U.S. Housing and Community Development Act⁷⁶ which amended the Housing Act of 1937 and incorporated a lodging voucher program most regularly alluded to now as “Section 8”⁷⁷. Interestingly, this program functions to this day as the foundation of the American outlook on cost-efficient dwelling.⁷⁸ This is a federal program, and its purpose is to help low-pay leaseholders pay just a portion of their month income toward lease. It operates as follows, enrolled participants select a lodging in the private market to utilize the voucher and give 30% of fixed month to month pay against their rent. The left 70% is being paid to the landowner by the housing authority which administers the family unit's voucher called Public Housing Agency.⁷⁹ Currently, it is estimated that the government spends around 18 billion a year on this program, contributing to more than 5 million people in approximately 2.2 million households. Average annual grant is roughly \$ 8,000 per year for a coupon holder.⁸⁰

Unlike the housing problem, the problem of homelessness was noticed by the authorities a little later, in the 1980s to be precise, with the introduction of the McKinney-Vento Law in 1987.⁸¹ This is a very important date, because the legislative actions so far have been a response to the homeless' need for food and shelter, and only this act introduced by the hundredth Congress has significantly delved into not only the response to the needs of the homeless, but also the very concept and genesis of the state of homelessness. Before June 1987, the authorities had done little work in understanding the solutions to the causes and multiple needs of people experiencing homelessness, not focusing only on the issues of food and asylum. The McKinney Act was the first real response to the need for rights for homeless people and highlighted how rapidly this problem is developing and how urgent the need to alert for help is. In later years, two authorizations of this act were carried out, which improved the agenda by changing the regulations and some programs to consider the specific needs of the homeless.⁸² The public

⁷⁶ The U.S. Housing and Community Development Act of 1974, <https://www.congress.gov/bill/93rd-congress/senate-bill/3066>, accessed: 24.01.2021.

⁷⁷ See more: W. Frej, H. Specht, *The Housing and Community Development Act of 1974: Implications for Policy and Planning*, “Social Services Review” 1976, Vol. 50, No. 2, pp. 275–292.

⁷⁸ The United States – National Strategies to Address Homelessness, <https://www.homelesshub.ca/solutions/national-strategies/united-states>, accessed: 13.01.2021.

⁷⁹ What Is the Section 8 Housing Choice Voucher (HCV) Program?, <https://affordablehousingonline.com/guide/section-8-vouchers>, accessed:14.01.2021.

⁸⁰ I. Gould Ellen, *What Do We Know About Housing Choice Vouchers?*, NYU Furman Center, July 2018, https://furmancenter.org/files/fact-sheets/HousingChoiceVouchers_ige.pdf, p.3, accessed: 14.01.2021.

⁸¹ The McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) (42 U.S.C. § 11431-11435), <https://www.law.cornell.edu/uscode/text/42/11431>, accessed: 24.01.2021.

⁸² United States. General Accounting Office. Homelessness: McKinney Act Programs And Funding for Fiscal Year 1989: Report to the Congress. Washington, D.C.: The Office, 1990, pp. 1–12, available at: <https://babel.hathitrust.org/cgi/pt?id=uiug.30112037664643&view=lup&seq=8>, accessed: 24.01.2020.

authority's reaction was set apart by the quick improvement of crisis administrations for homeless individuals, and pressing factor was additionally put-on building crisis service infrastructure.⁸³

In the same year, Congress considered several bills intended to extend the tasks related to helping the homeless. The legislation that finally came into force was the Urgent Relief for the Homeless Act⁸⁴, which included several programs that were to be dealt with by individual agencies. The programs addressed issues in the field of medical care, local area based psychological wellness administrations for homeless people who are constantly intellectually sick, crisis shelter, momentary housing particularly for the older and homeless families with kids, local area administrations to give follow up and long-term services, work and education preparing, lasting housing for crippled people experiencing homelessness and allowance for people to re-design, convert, buy, rent or develop premises. Due to concerns that project management has been assigned to several different agencies, which could lead to problems and inaccuracies, an independent council has been introduced to coordinate federal homelessness programs known as the Interagency Council on the Homeless.⁸⁵

The subsequent stages taken in the fight against homelessness were marked by a change, specifically the presentation of the Strategic Response with specific accentuation on crisis administrations and attempts to get involved in housing. The primary originator was the National Alliance to End Homelessness, which executed a 10-year plan called “A Plan Not a Dream How to End Homelessness in Ten Years” and it was this methodology that was a prime idea in terms of homelessness at the time. This arrangement was upheld by the US government with the goal of spreading it nationwide. The thought behind this side was 'implementing measurable targets and outcomes', and by getting sorted out “Homeless Management Information Systems”, a framework aimed toward collecting and breaking down information, the United States has become an innovator in estimating the degree of the issue and the viability of arrangements in a consistent manner.⁸⁶

The financial crisis of 2007–2009, which was initiated by the collapse of the high-risk mortgage market in the United States, caused considerable problems also in the homelessness

⁸³ The United States – National Strategies to Address Homelessness, <https://www.homelesshub.ca/solutions/national-strategies/united-states>, accessed: 13.01.2021.

⁸⁴ S.809 - Urgent Relief for the Homeless Act, <https://www.congress.gov/bill/100th-congress/senate-bill/809>, accessed: 24.01.2021.

⁸⁵ United States. General Accounting Office. Homelessness: McKinney Act Programs And Funding for Fiscal Year 1989: Report to the Congress. Washington, D.C.: The Office, 1990, pp. 1–12, <https://babel.hathitrust.org/cgi/pt?id=uiug.30112037664643&view=lup&seq=8>, accessed: 24.01.2020.

⁸⁶ The United States – National Strategies to Address Homelessness, <https://www.homelesshub.ca/solutions/national-strategies/united-states>, accessed 12.01.2021.

sector. As per a report distributed toward the end of 2008, precisely 861,664 families lost their homes due to foreclosures and more than 3.1 million applications for expropriations were given, which means one of every 54 families got a notification.⁸⁷ Once again, as a consequence of the recession, the US government was forced to act, and this time the Recovery and Reinvestment Act of 2009 was proposed as a solution. The said act was based on the financing for the Homelessness Prevention and Rapid Re-Housing program and focused on assistance for early intercession and counteraction administrations for youth left without shelter.⁸⁸ In connection with the crisis in terms of the loss of homes, the same year also introduced the Act on Helping Families Save Their Homes. Thanks to it, home loan servicers at risk of foreclosure have been allowed to modify their mortgages in a way that allows for further repayment in order to avoid the takeover.⁸⁹

One of the significant qualifications in the battle against homelessness was the foundation of the United States Interagency Council on Homelessness (USICH), which is an executive body and reports to the president. The objective of this autonomous organization of the government is to incorporate and facilitate reactions to homelessness in collaboration with state and neighborhood governments and local groups.⁹⁰

However, when it comes to one of the newer legislative activities carried out in the USA, attention should be paid to the Ending Homeless Act introduced in March 2019. Its purpose was to donate to housing programs, help with the rental procedure, as well as provide money for services for homeless households and allow additional funds to be allocated to these activities. The bill stipulated that \$ 13.3 billion would be used to provide assurances from the 116th Congress in the period up to 2029.⁹¹

Also significant in American legislation is the fact that the definition of a homeless person is included in the United States Code, which I referred to in point 1.2, so I will not focus on it in this chapter.

The above examples are some of the most important actions taken by the American government on the issue of homelessness, so it can be concluded that there were many laws

⁸⁷ L. Christie, *Foreclosures up a record 81% in 2008*, https://money.cnn.com/2009/01/15/real_estate/millions_in_foreclosure/, accessed: 21.01.2021.

⁸⁸ The United States – National Strategies to Address Homelessness, accessed:13.01.2021, <https://www.homelesshub.ca/solutions/national-strategies/united-states>

⁸⁹ *Congress Acts to Boost Confidence, Stability in Housing Market*, https://archives.huduser.gov/periodicals/researchworks/julaug_09/RW_vol6num7t1.html, accessed: 21.02.2021.

⁹⁰ The United States – National Strategies to Address Homelessness, <https://www.homelesshub.ca/solutions/national-strategies/united-states>, accessed:13.01.2021,

⁹¹ H.R. 1856, Ending Homelessness Act of 2019, Congressional Budget Office Cost Estimate, pp. 1–2, https://www.cbo.gov/system/files/2019-05/hr1856_0.pdf, accessed: 21.01.2021.

implemented and the value of money allocated to plans and programs exceeded tens of billions of dollars. Although these are huge amounts, one should consider why, despite spending so much money in the USA, there is still no end to homelessness. In such a huge country, the fight against this phenomenon involves not only huge sums, but also the involvement of many aid resources, people, creating and maintaining auxiliary infrastructures, as well as the willingness to cooperate on the part of both the helpers and those in need.

2.3. How public administration helps the homeless in the United States

The United States has mobilized a number of governmental and non-governmental institutions to prevent, fight and counter homelessness. Organizations often aim to improve the lives of homeless people by providing them with food and a place to sleep, but there are also programs to deal with people on the verge of poverty and at risk of homelessness. Organizations dealing with cases of homeless children were also created, followed by a number of other organizations specializing in specific cases of homelessness. However, in order to get to the modes of operation of these organizations, it is necessary to delve into the structure of the public administration in the United States.

When it comes to the term public administration, “the objective definition takes the perspective of the bodies of law to describe which motions are included in administrative activities. It, therefore, defines public administration as an activity of administration conducted by competent subjects (bodies)”.⁹²

It is worth adding here that the genesis of the word public administration is derived from the Latin words: “administro” and “administrare”, which boils down to the words serve, conduct and manage, and due to the fact that it is about serving some non-privatized majority, we call it public.⁹³

When it comes to the organizational structure of public administration in the United States of America, it consists of the States, the number of which is 50, and the state power is

⁹² M. Możdżeń-Marcinkowski, *Introduction to Polish Administrative Law*, Second Revised Edition, Warszawa 2012, p. 5.

⁹³ *Ibidem*, p. 3.

divided between the central government and the governments of states, i.e., federations. According to Article IV of the American Constitution of 1787 – which is the fundamental of the U.S.⁹⁴, each state is responsible for recognizing all public records, records, and court records of all other states.⁹⁵ When it comes to the division of the state, as many as 48 out of 50 federations are divided into counties, which constitute the higher level of self-government, and their existence is associated with the need to perform the tasks of state authorities, but they are not the only units in the field of local self-government. The census of these units from 2012 revealed that there are as many as 89 004 in the United States. Subsequently, municipal units can be distinguished, which are appointed to perform the tasks of general self-government in a given area, including large cities, towns, and townships. Then there are so-called “special districts”, or “organized local units other than a county, municipal unit, city or school district.” Special districts, which, are allowed by state statute to conduct one or a small number of particular functions and also have adequate administrative and fiscal freedom to qualify as a separate self-government entity, and school districts, which, like special districts, are a separate self-government unit with administrative and fiscal independence, however, the organization's mission is to provide education opportunities.⁹⁶

When it comes to the role of governmental administration in helping homeless one has to mention the following ministries: the U.S. Department of Health and Human Services, the Department of Housing and Urban Development and United States Interagency Council on Homelessness.

The U.S. Department of Health and Human Services gives crisis and continuous housing backing and administrations to help individuals and families who are encountering or in danger of getting destitute or at risk of homelessness. The administrations include Cold Emergency Alerts, Emergency Shelter, Emergency Rental Assistance, Hyperthermia Alerts, Resources, Service Providers, Shelter Monitoring, Shelter ADA Compliance, Veteran Supportive Housing, Youth Services/Shelters.⁹⁷ The Department of Housing and Urban Development administers programs that provide housing and community development assistance. The Department also works to ensure fair and equal housing opportunity for all.⁹⁸ The U.S. Interagency Council on

⁹⁴ The Constitution of the United States of America as amended, <https://www.govinfo.gov/content/pkg/CDOC-110hdoc50/pdf/CDOC-110hdoc50.pdf>, accessed: 23.03.2021.

⁹⁵ U.S. Constitution art. IV, § 1.

⁹⁶ A. Pawłowska, *Autonomia samorządu terytorialnego w Stanach Zjednoczonych Ameryki. Zagadnienia Konstytucyjne*, “Przegląd Sejmowy” 2013, No. 5, p. 104. Own translation from Polish language.

⁹⁷ Department of Human Services, <https://dhs.dc.gov/service/homeless-services>, accessed: 13.04.2021.

⁹⁸ U.S. Department of Housing and Urban Development, <https://www.usa.gov/federal-agencies/u-s-department-of-housing-and-urban-development>, accessed: 13.04.2021.

Homelessness was initially approved by Congress through Title II of the landmark Stewart B. McKinney Homeless Assistance Act of 1987 (PL 100-77) to fill in as an “independent establishment” inside the presidential branch.⁹⁹ The organization originally was “charged with coordinating the federal response to homelessness and creating a national partnership at every level of government and with the private sector to reduce and end homelessness in the nation while maximizing the effectiveness of the federal government in contributing to the end of homelessness.”¹⁰⁰ The task of this council is to coordinate the phenomenon of homelessness on a federal scale through cooperation with leaders from 19 federal member agencies.¹⁰¹

Local authorities help people who are unemployed and the reason for that is because those people usually do not have enough money to pay their rents and other liabilities. The lack of lease money often drives them to becoming homeless, this means that the activities undertaken by local self-governments prevent homelessness by providing help to people on the verge of homelessness. Another important role of local authorities is to organize healthcare in hospitals for people in need of this kind of services who are not able to pay for hospital fees or even do not own healthcare insurance.¹⁰² Local authorities cooperate with non-governmental organizations in order to fight with homelessness and I will mention it in the upcoming part of the dissertation.

To sum up, in the case of the US public administration, it is the housing relief measures that produce better results for those in need and are more efficient for the state budget. In the USA, the most popular are the means of assistance, such as the Section 8 vouchers mentioned in the previous point and Housing First approach.¹⁰³

In the United States, apart from public administration, a huge role in helping homeless people is played by non-governmental organizations. The first non-governmental organization that is worth mentioning here is Pathways to Housing which developed the program named Housing First. This New York-based non-governmental organization was the first organization in the U.S. to propose such a model of helping the homeless and on the verge of poverty. Since the originally introduced Pathways Housing first service in the United States was successful, different variations of this service began to be introduced in other countries, including EU member states. The genesis and purpose of this measure is quite simple and is based on ending

⁹⁹ Source: <https://www.usich.gov/about-usich/>, accessed: 13.04.2021.

¹⁰⁰ *Ibidem*.

¹⁰¹ *Ibidem*.

¹⁰² D. Cendrowicz, *Zadania jednostek samorządu terytorialnego w zakresie pomocy osobom bezdomnym z perspektywy zasady pomocniczości*, Warszawa 2020, p. 252. Own translation from Polish language.

¹⁰³ Coalition for the homeless, Proven Solutions, <https://www.coalitionforthehomeless.org/proven-solutions/>, accessed: 23.03.2021.

chronic homelessness by providing housing for people experiencing this unpleasant condition. This solution differs significantly from the standard provision of shelter in shelters and similar centers, as it is based on providing a permanent home to a person in need, not a temporary shelter. Such a choice has a particular impact on the quality of life of people using this platform, as it focuses on ensuring that homeless people have basic needs such as food and shelter, so that they can focus in turn on finding a job and solving problems related to substance abuse or mental health care.¹⁰⁴

One thing that sets Housing First apart from other programs is that people experiencing homelessness and willing to participate in the program are not required to immediately sobering up and resolve other behavioral and health problems.¹⁰⁵ They are also not required to complete various service programs in order to obtain housing, because Housing First is based on the belief that housing is the first and fundamental step by which homeless people will be able to take the next steps towards recovery. In addition, participation in supportive services is not required as the services have been found to be more effective if the individual chooses to engage voluntarily. An assortment of deliberate administrations might be utilized to advance housing stability and prosperity during and following lodging situation. The service distinguishes between two programs that differ in implementation. The first is called Permanent Supportive Housing (hereinafter as: PSH) and it is about providing permanent housing for people and families experiencing homelessness who suffer from a chronic illness, disability, mental health problems or substance abuse. On the other hand, the aim of the second type of program which is a rapid re-housing is short-term rental of an apartment for people and families experiencing homelessness, but who are not affected by any of the diseases and disorders mentioned. With regards to the adequacy of the two projects, PSH has been appeared to have a drawn-out home stay proportion of 98%, and examination has shown that rapid re-housing assists individuals with recuperating homelessness. Then again, as far as effectiveness is being concerned, it turns out that giving admittance to housing brings about cost saving in investment funds since individuals living in homes less frequently use crisis administrations like medical clinics, detainment facilities and shelters. Exploration has shown that Housing First can cost between \$31,545 and \$46,000 less per individual over a two-year time span.¹⁰⁶ One of the most interesting aspects

¹⁰⁴ Fact Sheet: Housing First, National Alliance to End Homelessness, p. 1, <http://endhomelessness.org/wp-content/uploads/2016/04/housing-first-fact-sheet.pdf>, accessed: 23.03.2021.

¹⁰⁵ See more: S.G. Kertesz, K. Crouch, K., J.B. Milby, R.E. Cusimano, J.E. Schumacher, *Housing first for homeless persons with active addiction: are we overreaching?*, "The Milbank Quarterly" 2009, Vol. 87, No. 2, pp. 495–534.

¹⁰⁶ *Ibidem*.

about this non-profit organization is that its founders believe that everyone deserves a home and that they have a constitutional right to it, even though such a law is not actually recognized in the United States.¹⁰⁷

In addition to the wide range of programs providing temporary or permanent housing, one may also distinguish programs aimed at helping children, mothers and pregnant women, as well as entire families such as Federally Funded Early Childhood Programs. One such organization is Head Start, administered by the U.S. Department of Health and Human Services (HHS) through the Office of Head Start at the Administration for Children and Families. It is a perplexing kid advancement program focusing on kids from birth to 5 years old, including pregnant ladies and their families. This program principally centers around expanding the school status of kids from low-pay families, predominantly giving youngsters instructive administrations like sustenance, improvement research, clinical examination, inoculation, reference to psychological well-being and social administrations, and in some cases additionally transport.¹⁰⁸

The United States is one of the highly developed countries, which nevertheless finds itself in a major homelessness crisis. Despite the existence of many organizations and resources to help the homeless, both governmental support systems and non-governmental organizations do not have the resources to fully overcome homelessness.¹⁰⁹ In addition, there is often a conflict of interest, when one party claims that homelessness can be completely combated, and the other believes that homeless people can only be provided with help, but this is due to an overly complex and complicated structure of the state's functioning. In my opinion, the solution to this problem could be a situation in which the state as a whole undertakes one course of action to help the homeless and those on the verge of poverty.

¹⁰⁷ J. Calterone Williams, *op. cit.*, p. 8.

¹⁰⁸ U.S. Department of Education, Early Childhood Homelessness State Profiles 2019, <https://www2.ed.gov/rschstat/eval/disadv/homeless/early-childhood-homelessness-state-profiles-2019.pdf>, accessed: 23.03.2021.

¹⁰⁹ National Alliance to End Homelessness, State of Homelessness: 2020 Edition, <https://endhomelessness.org/homelessness-in-america/homelessness-statistics/state-of-homelessness-2020/>, accessed: 23.03.2021.

Chapter 3

Public Policies to End Homelessness in Finland

3.1. Homelessness in Finland

In the third and penultimate chapter, I am going to focus on the case of Finland, which, according to the World Happiness Record, has held the first place as the happiest country in the world since 2018.¹¹⁰ It is obvious that the notion of happiness as the “life satisfaction” of the inhabitants of a given country depends very much on the degree of its wealth. It has been scientifically proven from research already carried out in 1960 that such a pattern continued to appear in the following years.¹¹¹ However, the wealth of the state and its citizens is not the only reason for so much joy and satisfaction among the inhabitants. One of these reasons is that Finland is the only country in Europe where homelessness is not increasing at all, and even on the contrary, it is decreasing.¹¹² The most important thing that distinguishes Finland from all countries in the world is that the decline in homelessness is so great that Finland has practically completely won the fight against cruel homelessness and was the first in history to overcome it.¹¹³

When it comes to the background of Finnish strategy in terms of ending homelessness it began when this phenomenon finally became impossible to go unnoticed and brought to attention and has been recognized as a social problem in the early 1980s. This observation engendered the start of the point-in-time counting of homeless units in 1987. During that count it emerged that in Finland there were 17,110 individual homeless people and 1,370 families at the time and since then the state has been working consistently in order to reduce those numbers.

¹¹⁰ J.F. Helliwell, R. Layard, J.D. Sachs, et al., *World Happiest Report 2020*, <https://happiness-report.s3.amazonaws.com/2020/WHR20.pdf>, accessed: 13.03.2021.

¹¹¹ G. Brulé, R. Veenhoven, *Freedom and happiness in nations: why the Finns are happier than the French*, “Psychology of Well-Being” 2014, No. 17, p. 1.

¹¹² Finland ends homelessness and provides shelter for all in need, <https://scoop.me/housing-first-finland-homelessness/>, accessed: 13.04.2021.

¹¹³ *Ibidem*.

This reduction has been going fairly smoothly over the decades, and in the 2008 count, 7,960 individual homeless people and 300 families were noted in a country with around 5.3 million inhabitants.¹¹⁴

Table 2. The extent of homelessness in Finland in the period 1987-2008

Table 2: The extent of homelessness in Finland, 1987-2008					
Year	Outdoors/shelters	Institutions	Relatives/ acquaintances	Single	Families
1987	4,700	4,960	7,650	17,110	1,370
1988	4,400	4,000	7,600	16,000	1,200
1989	4,170	4,400	7,620	16,190	870
1990	3,610	3,690	7,950	15,250	800
1991	3,370	3,340	7,390	14,100	700
1992	3,030	3,030	6,820	12,880	570
1993	2,560	2,410	6,700	11,670	250
1994	1,760	2,170	6,630	10,560	380
1995	1,710	2,110	6,610	10,430	560
1996	1,720	2,110	5,780	9,610	360
1997	1,720	2,450	5,650	9,820	600
1998	1,770	2,350	5,870	9,990	820
1999	1,750	2,390	5,850	9,990	780
2000	1,790	2,420	5,790	10,000	780
2001	2,160	2,080	5,720	10,000	780
2002	2,060	2,080	5,420	9,560	770
2003	1,990	1,640	4,560	8,190	420
2004	1,910	1,550	4,190	7,650	360
2005	1,620	1,560	4,250	7,430	360
2006	1,650	1,570	4,180	7,400	300
2007	1,480	1,590	4,460	7,530	300
2008	1,520	1,640	4,800	7,960	300

Source: Tainio H., Fredriksson P., *The Finnish Homelessness Strategy: From a 'Staircase' Model to a 'Housing First' Approach to Tackling Long-Term Homelessness*, "European Journal of Homelessness" 2009, Vol. 3, p. 183.

The main actions undertaken by the government and NGOs over those years were those known, standard and outdated methods, such as the construction of short-term shelters, which, however, were not able to meet the needs of people experiencing chronic homelessness. In addition, there were emergency shelters, which were simply not enough and there was a lack of programs that would allow for a complete exit from homelessness. People without an address

¹¹⁴ N. Pleace, *The Action Plan for Preventing Homelessness in Finland 2016-2019: The Culmination of an Integrated Strategy to End Homelessness?*, "European Journal of Homelessness" 2017, Vol. 11, No. 2, p. 96.

could not get a job, and without a job, they had no prospect of finding and maintaining a flat, and so the vicious circle closed.¹¹⁵

Of all the measures taken to combat homelessness, people experiencing long-term homelessness had the least opportunities and possibilities, and thus – they were the most harmed by the system, despite the fact that they constituted the largest group, as much as 45% of all homeless people in Finland. In addition, these people very often experienced health problems, some of them both on the physical and mental side of the spectrum, and also experienced problems with the nature of alcohol or drug addiction, one might say – homeless people with special help. This group also included people with a criminal or problematic past. Furthermore, the homeless from this group had virtually no chance of finding a job, they had no access to education, which is unconstitutional, because according to Section 16 of the Finnish Constitution, everyone has the right to education, and they also did not have access to any training and support systems.¹¹⁶

This large group of chronically homeless people put a significant charge on the state budget because it generated a large consumption of resources and at the same time the presence of such people introduced a series of burdens on the Finnish community. The first burden was the harm that long-term homelessness could inflict on those who were or used to be affected. The second expense was focused on the threats to Finnish social stability posed by marginalized Finnish people living in long-term homelessness circumstances. The third expense, which was centered on the consequences for public spending since their homelessness was not being addressed by current homelessness services at the time.

To summarize, it is for the above-mentioned reasons that despite a substantial decline in the number of homeless people in Finland, tent villages, and even temporary houses and dwellings constructed by the homeless in parks in Helsinki, the state capital, could still be seen in 2008.¹¹⁷ I intend to discuss and describe the legal acts and actions taken by the state authorities that led to such a septic reduction in the percentage of homeless people in Finland and the programs introduced for this purpose in the following sections of this chapter.

¹¹⁵ Finland ends homelessness and provides shelter...

¹¹⁶ Section 16 of The Constitution of Finland 11 June 1999, <https://finlex.fi/en/laki/kaanokset/1999/en19990731.pdf>, accessed: 03.05.2021; N. Pleace, M. Knutagård, D P. Culhane, et al., *The Strategic Response to Homelessness in Finland: Exploring Innovation and Coordination within a National Plan to Reduce and Prevent Homelessness*, [in:] *Exploring Effective Systems Responses to Homelessness*, N. Nichols, C. Doberstein (eds), The Homeless Hub Press 2016, February, p. 426.

¹¹⁷ Finland ends homelessness and provides shelter...

3.2. Homelessness legislation

The Nordic countries can often be associated with wealth, sustainable environmental policies and, generally speaking, happiness flowing places. When starting the analysis of homelessness legislation, it should also be remembered that Finland is one of the most economically developed countries in Europe and maintains its stable position, therefore it is a country of cohesion, in which there is a kind of harmony.¹¹⁸ In the case of such rich countries with a balanced policy, social success often comes with economic success, but it is not a rule. Therefore, what distinguishes Finland? When approaching the subject of legislation in Finland, it is worth considering several actions, acts and plans implemented by the state.

Beginning in the pre-war period, in Finland the law known for control of vagrants that was in use from 1937 up until 1986 was called the Act on Vagrancy. The act governed and supervised vagrants, prostitutes and beggars. Per this law, these persons could be subject to “vagrancy supervision,” which means that they would be granted directions, including the place of their residence. This people were registered, and if the directives did not seem to work, they might have been taken to a labor institution for a specified period of time. With the advancement of social welfare in the state, the legislation lost its sense, and it was declared unconstitutional in 1987.¹¹⁹

The Act on the Development of Housing Conditions, introduced in 1985, required local authorities to provide measures aimed specifically at improving the housing conditions of people who were homeless and living in poor conditions. Moreover, by defining homelessness and creating the Housing Fund of Finland, together with the input of local authorities, a homelessness monitoring system has been established based on data collected annually.¹²⁰

Within the framework of Finnish legislation, it is worth mentioning with the highest source of law in the country, the Constitution of Finland, which provides basic rights and obligations for all citizens. Starting with the supreme source of law and regulation, the Finnish Constitution, which provides all people with essential rights and obligations. Section 22 of the Constitution empowers state institutions to ensure that basic rights and liberties, as well as human rights, are respected by financial and statutory measures. Pursuant to Section 19 everyone

¹¹⁸ Commission Staff Working Document, Country Report Finland 2020, https://ec.europa.eu/info/sites/info/files/2020-european_semester_country-report-finland_en.pdf, accessed:15.04.2021.

¹¹⁹ Housing watch rights, https://www.housingrightswatch.org/sites/default/files/2012-12-11_RPT_FINLAND_anti_soc_laws_en.pdf, accessed: 15.04.2021.

¹²⁰ H. Tainio, P. Fredriksson, *The Finnish Homelessness Strategy: From a ‘Staircase’ Model to a ‘Housing First’ Approach to Tackling Long-Term Homelessness*, “European Journal of Homelessness” 2009, Vol. 3, p. 185.

has the right to social care. People who are unable to support themselves by their means have the right to request assistance. Public bodies' responsibilities include providing social, educational, and medical services to all residents.¹²¹ In 1995, the Finnish Constitution was amended to include a new clause stating that it is the duty of state authorities to foster everyone's right to housing and freedom to organize their own housing.¹²²

Moving on to Sections 17, 22 and 23 of the Social Welfare Act (710/1982, as amended), it is the responsibility of municipalities to organize rental programs, including service housing and assisted housing for individuals who need additional help or assistance in the arrangement of housing or living situations. Communities can create, purchase, or otherwise reserve housing, assisted housing, and institutional care facilities in compliance with local requirements under Section 27 of the Act.¹²³ When it comes to national case law of Finland, there is currently no case law in the matter of homelessness. The Act on Developing Housing Conditions (919/1985, as amended) states that municipalities are responsible for creating housing conditions, especially for people living in substandard housing and the homeless. Therefore, the responsibilities of municipalities include mainly: providing basic health care, specialist and dental care; social welfare services; running secondary, vocational and technical schools, as well as providing adult education, cultural and recreational services; water and electricity supply, garbage collection, environmental protection and road and public transport management; promotion of trade and employment in their area; supervising land use and construction in your area; and promoting a healthy and clean environment.¹²⁴ As you can see, there are a lot of obligations, which is why the municipalities' overall budget exceeds EUR 30 billion. By considering the number of people working as commune workers (430,000), the country employs about 120,000 state employees, and the private sector employs around 1,500,000 people, the size of the country's focus on welfare can be seen. Furthermore, social assistance and health care employ more than half of commune workers, and these services account for over half of local government expenditures.¹²⁵

Furthermore, the Local Government Act (365/1995, as amended) required local councils to create laws that would promote public order and safety while it was in existence. Those local

¹²¹ The Constitution of Finland 11 June 1999, <http://www.finlex.fi/en/laki/kaannokset/1999/en19990731.pdf>, accessed: 03.05.2021.

¹²² H. Tainio, P. Fredriksson, *op. cit.*, p. 185.

¹²³ Social Welfare Act (710/1982, as amended), <http://www.finlex.fi/fi/laki/kaannokset/1982/en19820710.pdf>, accessed: 03.05.2021.

¹²⁴ U.M. Koivula, *System pomocy społecznej w Finlandii*, p. 18, <https://www.wrzos.org.pl/projekt1.18/download/Ekspertyza%20Finlandia.pdf>, accessed: 15.04.2021. Own translation from Polish language.

¹²⁵ *Ibidem*.

governments frequently prohibited begging and hawking. This was common before the Public Order Act of 2003, which took away municipal councils' ability to regulate such matters.¹²⁶

To summarize, in Finland social security encompasses all aspects of society, including labor, housing, education and training, and sustainability.¹²⁷ Even though, the Finnish political system is not as complicated and difficult as in the case of the USA. Due to the fact that Finland is a welfare country social services and health care constitute an important part of the tasks of local authorities. In Finland, homelessness is not considered as an offense or a crime, it cannot be punished, and measures to criminalize homelessness are not provided for in the state legislation. On the contrary, the country is committed to tackling homelessness through its comprehensive protection legislation and various development programs.¹²⁸

3.3. How public administration helps the homeless in Finland

Finland is a welfare country with a political system similar to Polish with the head of the government as the prime minister, and the president as the head of state. The state government is located in the capital, and local governments are based in 311 municipalities. As mentioned in the above point, it is the communes that are responsible for the tasks related to the preparation of social and health care.¹²⁹

The history of the Finnish welfare state is marked by substantial socio-economic reforms that started with World War II and continued until the 1970s, when Finland transitioned from an agrarian to an agricultural society and finally to a service-based economy within just a few decades. Early twentieth-century social reform was sporadic and, interestingly enough, targeted only the vulnerable and socially excluded. The primary focus was on eradicating poverty and providing support for the needy, the sick, and the lonely, as well as children who were neglected. Furthermore, during this period, non-governmental organizations also made more of an impact than government-run organizations. The Finnish state system is currently based on the Nordic model, which is characterized by universalism, a major public sector, and taxes as

¹²⁶ Source: Housing Right Watch, https://www.housingrightswatch.org/sites/default/files/2012-12-11_RPT_FIN-LAND_anti_soc_laws_en.pdf, access date: 15.04.2021.

¹²⁷ *Ibidem.*

¹²⁸ *Ibidem.*

¹²⁹ See: https://europa.eu/european-union/about-eu/countries/member-countries/finland_pl, accessed: 15.04.2021. Own translation from Polish language.

a primary source of funding. Social care is based on a mechanism in which it is the responsibility of the public sector to deliver support care to all residents. Universal programs are open to all and are focused on consumer interests rather than wealth or inclusion of a specific client class.¹³⁰

As for the authorities responsible for combating homelessness, the Ministry of the Environment bears the main responsibility for these activities. Its mission is mostly focused on increasing the number of small rental apartments, but its purpose is also to direct funding subsidies to programs aimed at reducing homelessness, and to create new ways to assist people on the spectrum of special needs in finding accommodation. The second most important body responsible for helping people experiencing homelessness. The Ministry of Social Affairs and Health is in charge of delivering assistance such as subsidies and programs in order to put an end on the issue of homelessness. The said Ministry is also in charge of ensuring that residents have independent homes and assisting with housing prices. There is also a housing reform scheme in place to provide help to those who have been displaced for a long time.¹³¹

Helsinki, Espoo, and Vantaa are three cities in the Helsinki Metropolitan Area that collaborate to reduce homelessness by expanding homeless housing facilities. A network of collaborating institutions, organizations, and businesses was established as a result of this collaboration, including the Center of Expertise on Social Welfare, in the Helsinki Metropolitan Area (“Socca”), the Ministry of the Environment, the Ministry of Social Affairs and Health, RAY, Finland’s Slot Machine Association. In addition to these bodies, there is also an organization in Finland called The Housing Finance and Development Center of Finland (“ARA”) ARA is a federal agency tasked with putting the Finnish housing program into action. It is overseen by the aforementioned Ministry of the Environment. The agency's other duties include funding state-subsidized rental housing construction, granting housing rehabilitation subsidies, and administering state guarantees for owner-occupied housing loans.¹³²

Moving on to the topic of progress solutions, I am going to focus on the programs “Kaste” and “Nimi ovesa”. First, “Kaste” is a shorter name used for The National Program for the Development of Social Welfare and Healthcare in Finland which is a program contingent on the Act on Planning and Government Grants for Social Welfare and Health Care (733/1992, as amended), which the Finnish administration amends every four years. The initiative focuses

¹³⁰ U.M. Koivula, *op. cit.*, p. 4.

¹³¹ See: Housing Watch Rights, https://www.housingrightswatch.org/sites/default/files/2012-12-11_RPT_FINLAND_anti_soc_laws_en.pdf, accessed: 03.05.2021.

¹³² *Ibidem*.

on mapping important welfare and medical guiding principles, assessing action target areas, and tracking management activities. It emphasizes on legislative initiatives, recommendations, and advice aimed at bringing together central, municipal, and local institutions to enforce initiatives. Importantly, when it comes strictly to the topic of homelessness, the initiative seeks to build on an ongoing program aimed at reducing homelessness that affects individuals in the long-term.¹³³ Second, an initiative called “Nimi ovesa,” which translates to “Your Name on the Door”. The program includes four major cities, the Helsinki Diaconess Institute, the non-profit association Silta-valmennusyhdistys, and Vailla vakinaista asuntoary and Tekes, a Finnish engineering and advancement company, is funding it to develop services to prevent and alleviate homelessness based on universal housing requirements. It's a project focused around the "housing first" philosophy that aims to strengthen homeless services. This model proposes that accommodation is the starting point for a long-term social rehabilitation process, implying that a homeless person's primary priority is to find permanent housing, and that other issues such as addictions, mental and physical health, and so on can be resolved only after being accommodated.¹³⁴

Decentralized, subsidized homeless accommodation in rental housing leased by private housing providers was, in several ways, the only breakthrough that effectively abolished social segregation. As far as non-governmental organizations operating in Finland are considered, it is precisely such a Foundation Y that was established in 1985 and other organizations operating on similar principles contributed to this social achievement. Small apartments were leased to local social workers, which then re-rented them to those in need thanks to those organizations. Without public funding, the construction of housing and small housing stock, which constituted approximately 30,000 apartments in 2009, would not have been feasible.¹³⁵

Aside from renting, the Foundation Y oversees a number of construction programs and events aimed at putting an end to homelessness and is heavily active with Finland's national homelessness initiative, and it also coordinates the Housing First Development Network.¹³⁶ The fundamental principle of the Finnish housing first model is to provide a “housing package” in which housing and services can be tailored to the needs, desires and abilities, as well as social security and health requirements. The main goals of the Finnish approach are to ensure safe and permanent accommodation with a rental agreement; to limit the use of conventional shelters

¹³³ *Ibidem.*

¹³⁴ *Ibidem.*

¹³⁵ H. Tainio, P. Fredriksson, *op. cit.*, p. 184.

¹³⁶ Housing First Europe Programme, <https://housingfirsteurope.eu/countries/finland/>, accessed: 27.04.2021.

and to turn them into serviced, rented housing units; to avoid evictions through housing counseling and financial support; to create personal plans rehabilitation and facilities; to give advice on how to use standard social and health-care programs; and to increase civil activism by encouraging to increase effort, peer support and creating social communities.¹³⁷

To summarize, Finland has been successfully dealing with the problem of homelessness for many years. Data from 2019 shows that in that year, there were 4,600 individual homeless people in Finland, and 264 families in Finland, so in just over 30 years, Finland reduced the number of homeless people almost fourfold.¹³⁸ In addition, researchers note that ensuring that people on the margins of society given the ability to have ordinary human interactions with the rest of society make a huge impact on both the prevention and reduction of homelessness.¹³⁹ So, for some, the controversial “Housing First” approach has actually been successful in Finland, and the key to it has been having adequate support staffing and caring for homeless people, giving them the opportunity to develop and being treated like a human, not an outcast.¹⁴⁰

¹³⁷ H. Tainio, P. Fredriksson, *op. cit.*, p. 189.

¹³⁸ Housing First Europe...

¹³⁹ Finish Ministry of the Environment, *International study: Finland is a leading country in the management of long-term homelessness*, https://ym.fi/-/kansainvalinen-tutkimus-suomi-on-pitkaaikaisasunnottomuuden-hoitamisessa-johtava-maa?languageId=en_US, accessed: 27.04.2021.

¹⁴⁰ *Ibidem*.

Chapter 4

Public Policies to End Homelessness in Poland

4.1. Homelessness in Poland

In the last chapter, I intend to consider the issue of homelessness in Poland and focus on a detailed analysis of this phenomenon in the Republic of Poland and on presenting a picture of what homelessness really looks like in this country. In Poland, the aspect of homelessness can be described as not noticeably clear both from the perspective of statistics and legal sources.

Poland is a country where changes in the political, economic and social sectors have been observed for about 30 years. Thanks to joining the European Union in 2004, the Republic of Poland joined Western countries, and thus the gap between Poland and the most powerful countries in the world began to blur.¹⁴¹

In 2010, the United Nations included Poland for the first time in the annual report on the development of the Human Development Index as a highly developed country, i.e., in the same category as the USA or Germany. Interestingly, however, among the list of these countries, Poland was placed on the penultimate 39th place, which may indicate certain contrasts in this country.¹⁴² In 2019, Poland was in 32nd place.¹⁴³

Unfortunately, some changes in the country's system after 1989 resulted in the emergence of a group of people who had been wronged by them. Such groups are formed by units that are unable to adapt to the rapidly changing world and the reality that requires constant development and improvement, people who do not have personal resources to guarantee survival, the weak and in need. The need for continuous development led to the fact that individuals

¹⁴¹ B. Pawlik-Popielarska, *Archetyp bezdomności*, [in:] *Oblicza biedy we współczesnej Polsce*, M. Popow, P. Kowzan, M. Zielińska et al. (eds), Gdańsk 2011, p. 141. Own translation from Polish language.

¹⁴² Human Development Report 2010, United Nations Development Programme (UNDP), p. 143.

¹⁴³ *Ibidem*, p. 300.

who were not able to meet these requirements were practically expelled from the existing society and began to create their own environments accumulating homeless, uneducated and poor people.¹⁴⁴

Determining the number of homeless people is an inseparable element that influences the recognition of the current scale of the problem in the country. Unfortunately, this phenomenon is not as widely recorded in Poland as in the United States, therefore the amount of data is much smaller. Additionally, Poland conducted only 5 studies to estimate the number of homeless units, which takes place every two years. Thus, it turns out that the research has been conducted for only 10 years.¹⁴⁵

When it comes to numbers in Poland, the last nationwide survey conducted at night on February 13–14, 2019, showed 30,330 homeless people.¹⁴⁶ Compared to the 38,354 million inhabitants, on average, 1 in 1263.6 people experiences homelessness.¹⁴⁷ I would also like to remind that the places where the homeless were taken into account during the study included night shelters, shelters for the homeless, heating facilities, houses for mothers with children, hospitals, prisons, sobering-up stations, as well as vacant houses, allotment houses and non-residential places.¹⁴⁸ Out of the surveyed people, 6007 people, i.e., 19.8%, stayed in public space and non-residential places, and the remaining majority, 24,323 people (80.2%) lived in institutions for the homeless.¹⁴⁹ During the COVID-19 pandemics, such a survey wasn't organized in order to count the number of homeless in Poland.

Interestingly, the issue of how long a person remains homeless in Poland differs significantly from the statistics obtained in the United States, where the largest group, as much as 90%, were people experiencing homelessness for less than a year. In the Republic of Poland, it turns out that people affected by this condition for a period between 5 and 10 years of duration constitute the largest group, it amounts to as many as 7,961 people, i.e., 27.84% of respondents. The second largest group are people who remain homeless for up to 2 years, i.e., the category of the shortest registered episode and amounts to 6,677 people, i.e., 23.35%.¹⁵⁰

¹⁴⁴ B. Pawlik-Popielarska, *op. cit.*, p. 142.

¹⁴⁵ Wyniki Ogólnopolskiego Badania Liczby Osób Bezdomnych – Edycja 2019, <https://www.gov.pl/web/rodzina/wyniki-ogolnopolskiego-badania-liczby-osob-bezdomnych-edycja-2019>, accessed: 14.01.2021. Own translation from Polish language.

¹⁴⁶ *Ibidem*.

¹⁴⁷ Główny Urząd Statystyczny, *Population. Size and structure and vital statistics in Poland by territorial division in 2020*, <https://stat.gov.pl/en/topics/population/population/population-size-and-structure-and-vital-statistics-in-poland-by-territorial-divison-as-of-june-30-2020,3,28.html>, accessed: 14.01.2021.

¹⁴⁸ Wyniki Ogólnopolskiego Badania..., Own translation from Polish language.

¹⁴⁹ *Ibidem*.

¹⁵⁰ *Ibidem*.

Out of the 30,330 examined people, exactly as much as 83.6%, i.e., a group of as many as 25,369 men, and only the remaining 16.4%, i.e., 4961 people, were women. It turns out that compared to the latest research conducted two years earlier, there was a 9% decrease in homelessness, i.e., 3,078 fewer diagnosed people, including over 0.5 thousand women and 2.5 thousand men.¹⁵¹

Another important element in the subject of the conducted research is the age of the respondents. It turns out that there are 13,801 homeless people in Poland in the age group from 41 to 60 years old, including 1,770 women and 12,031 men, making it the most popular age group among the homeless.¹⁵²

As far as the level of education is concerned, research has shown that homeless people in Poland most often have vocational education, as many as 12,293 people, and primary education – 8,448 people.¹⁵³

It is noted that the largest epicenter of homelessness consists of 3 voivodeships, these are, in turn, Mazowieckie voivodship with 4,278 people, Śląskie with 4,255 people, and Pomorskie voivodship with 3,014 people.¹⁵⁴ On the other hand, the voivodships with the lowest percentage of the homeless are Podlaskie voivodship, where 646 people were recorded, Świętokrzyskie voivodship – 794 people, and also Lubuskie voivodship, where there were 812 homeless people. Compared to 2017, all voivodeships except Świętokrzyskie recorded a decrease in numbers.¹⁵⁵

Moving on to the topics of the causes of homelessness in Poland, the respondents most often mentioned the family conflict as the source of the current state, as much as 32.2%. However, the cause for less than 28% of the homeless was the problem of addiction, and 26.3% indicated eviction as the source. 18.4% said the breakdown of a relationship contributed to becoming homeless.¹⁵⁶

Furthermore, the homeless individuals were questioned about their income sources. As a rule, the majority of it turned out to be a social welfare allowance, with up to 38% of respondents indicating this as a monetary source. Unfortunately, as many as 17.8% claimed that they had no source of income at all and 15.8% of the respondents stated that they live on a pension or disability pension. What was surprising was the fact that as much as 11.6 percent of the

¹⁵¹ *Ibidem.*

¹⁵² *Ibidem.*

¹⁵³ *Ibidem.*

¹⁵⁴ *Ibidem.*

¹⁵⁵ *Ibidem.*

¹⁵⁶ *Ibidem.*

homeless said they did not have a stable source of income and relied solely on gathering. Gathering was the second most commonly claimed source of income in previous studies, so there has been a decline in people relying on it.¹⁵⁷

In conclusion, one may point out that the problem of homelessness in Poland may not appear as divergent as, for example, in the case of the United States. Indeed, Poland is a country that is not very diversified, especially culturally and ethnically, which is why the research on homelessness probably does not consider racial differences, because they may not even exist, which means that the statistics in Poland are much tighter. Nevertheless, it should be remembered that homelessness is such an extreme and cruel state in which a human person can find himself that it should not be the numbers that matter in this case, but the help provided to these people, which I will consider in the next parts of my bachelor thesis.

4.2. Homelessness legislation

In the period between 1945 and 1947, i.e., after World War II, Poland received funding and other resources intended for the homeless mainly from the American organization United Nations Relief and Rehabilitation Administration, and then it was absorbed by the United Nations. These organizations provided help in the form of food, dressing, shelter and a place to sleep. Due to the fact that during the communist era the character of the Republic of Poland was described as a welfare state, the authorities ignored the problem and maintained that there was no homelessness in Poland. It only started to change at the end of the People's Republic of Poland, because the problem of homelessness began to deepen due to the liquidation of many workplaces.¹⁵⁸

For the first time, the phenomenon of homelessness was mentioned in Polish legislation in the Act of August 16, 1923 on social welfare.¹⁵⁹ Importantly, this act distinguished homelessness as a social phenomenon at such an early stage, thus recognizing it as a social problem. In its scope, this act mentions taking care of homeless victims of the war and prisoners who

¹⁵⁷ *Ibidem*.

¹⁵⁸ B. Moraczewska, *op. cit.*, pp. 120–121. Own translation from Polish language.

¹⁵⁹ Act on social welfare of 16 September 1923 Journal of Laws No. 92, item 726) [*Ustawa z dnia 16 sierpnia 1923 r. o opiece społecznej (Dz. U. Nr 19, poz. 726)*] (Own translation from Polish language. See more: D. Cendrowicz, *Zadania administracji publicznej z zakresu pomocy osobom bezdomnym w II Rzeczypospolitej*, “Prawo” 2019, No. 327, pp. 39–54.

have served their sentences, as well as the fight against begging, vagrancy, alcoholism and harlotry, which can be understood as reducing the common element to care for the homeless.¹⁶⁰

It is worth referencing the currently binding Act of November 29, 1990 on social assistance, which characterizes the exercises of social assistance foundations. Due to the fact that homelessness in Poland was revealed only after 1989, the next act after 1923 on this topic was not released until 1990.¹⁶¹ As indicated by this act, homeless individuals have their own rights, which are: the right to shelter in night shelters, houses for the homeless and other adapted places, the right to use additional help, i.e., to receive clothes, underwear and shoes, one hot meal during the day, medical care, as well as benefits divided into temporary or permanent, which are allocated depending on the fulfillment of certain conditions.¹⁶²

Naturally, there shall be a mention of homelessness and social welfare in the supreme source of law in Poland, which is the Constitution of the Republic of Poland. Information on this subject can be found in Chapter II entitled “Freedoms, rights and obligations of man and citizen”. In my opinion, an important part of this document is Article 64, which states that everyone has the right to property and other property rights, as well as the right to inheritance. Then Article 65, paragraph 5, which states that “public authorities shall pursue a policy aimed at full, productive employment by implementing programs to combat unemployment, including organizing and supporting vocational guidance and training, as well as public works and intervention works”.¹⁶³ It is also worth paying attention to Article 67 points 1 and 2, which state that in the event of incapacity to work due to sickness and after reaching retirement age, a citizen has the right to social security, the Article also indicates the fact that a citizen who has been unemployed and involuntarily remains unemployed and has no means of subsistence, has the right to social security.¹⁶⁴ As far as the approach to poor families is concerned, the Constitution contains this in Article 71, which embraces information that Poland as a country in its social and economic policy considers the good of families and families in a difficult material and social situation, especially those with many diets and incomplete ones, are entitled to special assistance from public authorities.¹⁶⁵ Finally, Article 75, which mentions that “public authorities shall pursue policies favoring the satisfaction of citizens' housing needs, in particular preventing homelessness, supporting the development of social housing and supporting citizens'

¹⁶⁰ *Ibidem*.

¹⁶¹ A. Antas, *Historyczny i współczesny wymiar zjawiska bezdomności w Polsce*, “Rozprawy Społeczne” 2010, No. 2, p. 4. Own translation from Polish language.

¹⁶² B. Moraczewska, *op. cit.*, p. 121. Own translation from Polish language.

¹⁶³ See: Article 65 paragraph 5 of Polish Constitution.

¹⁶⁴ See: Article 67 points 1 and of Polish Constitution.

¹⁶⁵ See: Article 71 of Polish Constitution.

actions to obtain their own housing".¹⁶⁶ And the second paragraph of Article 75 that says "protection of the rights of tenants shall be established by statute", which leads to the Tenants' Rights, Municipal Housing Stock and the Civil Code Amendment Act of 21 June 2001.¹⁶⁷

The mentioned act regulates the principles and forms of protection of the rights of tenants and the principles of managing the housing resources of the commune. Article 4 is of particular importance, as it states that creating conditions for satisfying the housing needs of a self-government community is one of the commune's own tasks and its task is to provide social and replacement housing, and to meet the housing needs of low-income households.¹⁶⁸ In addition, Article 21 provides that the commune council adopts long-term programs for managing the housing stock of the commune and the rules for renting premises included in the housing stock of the commune, including the rules and criteria for renting premises, the rental of which is related to the employment relationship, if premises intended for this goal.¹⁶⁹

Notwithstanding, the most important legislation on homelessness is the Act on Social Welfare of 12 March 2004. Particularly important is Article 6, paragraph 8, which contains the definition of a homeless person, further elaborated in point 1.2 of my thesis. Another article worth mentioning is Article 7, paragraph 3, which says that social assistance is provided to individuals and families for many reasons, including homelessness. The Act on Social Welfare in articles 17 and 18 refers to the public tasks within the community outreach. When it comes to the Article 17 of the Act, it states that the public task of the commune, apart from the development and implementation of the communal strategy for solving social problems, is to provide food, clothing and shelter for people who are deprived of it, as well as to award and pay various types of benefits¹⁷⁰. In addition, Articles 48 and 48a indicate that individuals and families have the right to shelter, food and necessary clothing, if deprived of it and that "shelter is provided by granting temporary shelter in a night shelter, a shelter for the homeless or a shelter with care services for the homeless". The Act on Social Welfare also introduces the possibility of creating an individual program of overcoming homelessness in Article 49.¹⁷¹ Such a program is to consist in supporting a homeless person in solving their life problems, in particular family and

¹⁶⁶ Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws No. 78, item. 483 with further amendments). [*Konstytucja Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r. (Dz. U. Nr 78, poz. 483 ze zm.)*]. Own translation from Polish language.

¹⁶⁷ Tenants' Rights, Municipal Housing Stock and the Civil Code Amendment Act of 21 June 2001 (Journal of Laws of 2018, item 1234 with further amendments). [*Ustawa z dnia 21 czerwca 2001 r. o ochronie praw lokatorów, mieszkaniowym zasobie gminy i o zmianie Kodeksu cywilnego (Dz. U. z 2018 r., poz. 1234 ze zm.)*].

¹⁶⁸ See Article 4 of Tenants' Rights, Municipal Housing Stock and the Civil Code Amendment Act.

¹⁶⁹ See Article 21 Tenants' Rights, Municipal Housing Stock and the Civil Code Amendment Act.

¹⁷⁰ See Article 17 Social Welfare Act of 12 March 2004.

¹⁷¹ I. Sierpowska, *Pomoc społeczna. Komentarz*, Warszawa 2014, p. 245. Own translation from Polish language.

housing problems, and in finding employment, and should be developed by a social worker of the social welfare center. When it comes to and the jurisdiction of the commune is laid down in article 101, according to which it depends on the place of residence of the person applying for the benefit.¹⁷²

In summary, Poland is a country whose highest source of law is the Constitution of the Republic of Poland, in which several articles associated with poverty and homelessness can be identified. However, the most important legislature concerning the homeless is the Act on Social Welfare of 12 March 2004. I would also like to point out that although Poland, compared to the United States, is an old European country, and its history goes back a thousand years, the legislation on homelessness seems to be quite limited and tied. However, Polish public administration is far less complex than American, thus there are less acts and amendments, yet I personally believe that it is not promiscuity in the legislature, but the actual steps taken to tackle homelessness that has a greater impact on the results in combating this cruel phenomenon and the suffering of many people.

4.3. How public administration helps the homeless in Poland

In the last point, the methods that the public administration of the Polish state takes to counteract homelessness will be examined. Poland is an interesting but extremely specific country, and unfortunately homelessness is permanent here. In the Republic of Poland, as in other countries, various governmental and non-governmental measures to help the homeless and measures to prevent homelessness and poverty have been implemented. Additionally, due to joining the European Union, Poland receives subsidies to help the homeless and the poor and takes advantage of EU programs.

It is estimated that out of about 30,000 homeless people in Poland, assistance in the form of social contracts or individual programs for getting out of homelessness covers about 3,000 of them each year. Although it is a result of about 10% per year, homelessness in Poland does not decrease, because the people recovering from homelessness are replaced by new people

¹⁷² See Article 49 and Article 101 of the Act of 12 March 2004 on Social Welfare Own translation from Polish language. D. Cendrowicz, *Zadania jednostek samorządu terytorialnego...*, pp. 159–189; R. Mędrzycki, *Zadania administracji publicznej w zakresie przeciwdziałania bezdomności. Studium administracyjnoprawne*, Warszawa 2016, pp. 181–184. Own translation from Polish language.

who have just lost their home.¹⁷³ It can, however, be concluded that it is not the homeless people assistance programs that are defective, but the measures to prevent homelessness and poverty.

When it comes to the structure of Polish public administration, it is divided into governmental administration (i.e., central governmental administration and territorial-governmental administration) and local self-governmental administration.¹⁷⁴ The existence of the local self-government in the organizational structure of Polish public administration is guaranteed by the provisions of the Constitution of the Republic of Poland of 2 April 1997. According to the Article 163 of the Constitution “Local government shall perform public tasks not reserved by the Constitution or statutes to the organs of other public authorities.”¹⁷⁵ In turn, Article 164 para 3 states that “The commune shall perform all tasks of local government not reserved to other units of local government.”¹⁷⁶ It has to be noted that local self-government in Poland plays a huge role in helping homeless people by organizing shelters and granting social welfare benefits. It is due to the principle of subsidiarity which is expressed in the Preamble to the Constitution and also in Article 4 para 1 of the European Charter of Local Self-Government.¹⁷⁷ One also has to bear in mind that public bodies of governmental administration perform public tasks which are aimed at reducing homeless in Poland.

When it comes to legal acts that create obligations toward Polish public administration in the scope of helping homeless people, as it was mentioned in the previous subchapter, the most important is the Act on Social Welfare of 12 March 2004. It has to be noted that numerous obligations were imposed by the provisions of this Act on the Minister of Family and Social Policy. One of the more recent and important measures taken by the Minister on the homelessness was the introduction of the regulation of the Minister of Family and Social Policy of 27 April 2018 on the minimum standards of night shelters, shelters for the homeless, shelters for the homeless with care services and heating facilities.¹⁷⁸ However, the most important role in

¹⁷³ P. Adamowicz, *Działania administracji publicznej na rzecz bezdomnych*, “Kontrola Państwowa” 2015, No. 4, p. 108. Own translation from Polish language.

¹⁷⁴ M. Możdżeń-Marcinkowski, *op. cit.*, pp. 83–106.

¹⁷⁵ The English translation of the Polish Constitution of 2nd April 1997, <https://www.sejm.gov.pl/prawo/konst/angielski/konse.htm>, access date: 13.04.2021.

¹⁷⁶ *Ibidem*.

¹⁷⁷ European Charter of Local Self-Government adopted under the auspices of the Congress of the Council of Europe and opened for signature by the Council of Europe's member states on 15 October 1985, <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/122>, accessed: 13.04.2021. See more: Ch. Himsworth, *The European Charter of Local Self-Government. A Treaty for Local Democracy*, Edinburgh University Press 2016, *passim*.

¹⁷⁸ Regulation of the Minister of Family and Social Policy of 27 April 2018 on the minimum standards of night shelters, shelters for the homeless, shelters for the homeless with care services and heating facilities (Journal of Laws item 896). [*Rozporządzenie Ministra Rodziny, Pracy i Polityki Społecznej z dnia 27 kwietnia 2018 r. w sprawie minimalnych standardów noclegowni, schronisk dla osób bezdomnych, schronisk dla osób bezdomnych z usługami opiekuńczymi i ogrzewalni (Dz. U. poz. 896)*].

helping the homeless in Poland according to the Act on Social Welfare plays the commune. The commune is obliged by the provisions of the Act to provide shelter to the homeless and to create an individual program of overcoming homelessness. When it comes to the first obligation of the commune, according to Article 48a para 1 of the Act of Social Welfare: “shelter is provided by granting temporary shelter in a night shelter, a shelter for the homeless or a shelter for the homeless with care services”. According to Article 48a para 3 of the analyzed Act “the lodging house provides shelter to the homeless by providing temporary assistance in the form of a place to sleep, under which it is possible to spend the night in conditions guaranteeing the protection of life and health”. It has to be added, that due to Article 48a para 2d “in particularly justified cases, it is allowed to grant temporary shelter in a shelter for homeless people with care services to homeless people who have a decision to refer them to a social welfare home, for the period of waiting for placement in a social welfare home, but not longer than 4 months”. While analyzing this public task of the commune one has to bear in mind that according to Article 48a para 8 “assistance granted in the form of a temporary shelter in a heating house or night shelter does not require a family environmental interview and an administrative decision, and the expenses incurred for the granted aid are not reimbursed”.¹⁷⁹

In Poland, communes have to cooperate with non-governmental organizations in order to help the homeless in Poland. According to Article 25 para 1 of the Act on Social Welfare it can commission the implementation of selected public tasks in the field of social assistance, including those related to the issue of homeless people, to non-governmental organizations.

Article 17 para 1 point 15 imposes on the commune an obligation of organizing a funeral for a homeless person if such a homeless die on the territory of the commune.

It has to be added that in communes function Social Welfare Centers and/or Centers Social of Services. According to Article 110 para 1 of the Act on Social Welfare, these entities are responsible for performing social welfare tasks in communes. The role of Social Welfare Centers in helping the homeless is huge because for example according to Article 49 para 8 of the Act of Social Welfare “for a homeless person covered by an individual program of getting out of homelessness, a social welfare center, and in the case of transformation of a social welfare center into a social services center pursuant to the provisions of the Act of 19 July 2019 on the provision of social services by the social services center - social services center, it pays a health

¹⁷⁹ Act of 12 March 2004 on Social Welfare (Journal Of Laws of 2004 No. 64, item 593) [*Ustawa z dnia 12 marca 2004 r. o pomocy społecznej (Dz. U. 2004 Nr 64 poz. 593)*]. Own translation from Polish language.

insurance contribution for the rules set out in the provisions on healthcare services financed from public funds”.¹⁸⁰

As far as health care for the homeless in Poland is concerned, it turns out that homelessness is understood only in terms of the problem of social assistance, therefore cooperation between the housing and health systems does not exist. For this reason, there is a barrier in accessing health care services. In addition, services for those struggling with substance addiction are made even more difficult as abstinence is required both in shelters and in most emergency shelters. In Poland, on the legal basis of the Act of 27 August 2004 on Health Care Services financed from Public Funds,¹⁸¹ health insurance is granted to homeless people who register as unemployed or to those who sign a social contract. There are also forms of emergency health insurance issued by local authorities or social assistance for up to 90 days, but it is a complicated procedure that requires proof of identity, and people in need often drop out.¹⁸² Although the legal basis seems rational, on the other hand, the health system is reluctant to accept homeless people, in addition: SOR accepts the homeless, but does not provide them with a hospital bed; the same as in the case of shelters – sobriety is required; drug addiction treatment is free only for the insured, and psychiatric services are severely limited, which means that the homeless remain undiagnosed and pose a threat to the general population.¹⁸³ Pursuant to Article 73 of the aforementioned Act of 27 August 2004, the insurance obligation covers the homeless persons who have been covered by the homelessness relief program and therefore have the right to benefit from healthcare services, but the insurance expires on the date of termination or discontinuation of the program.¹⁸⁴

Another problem faced by public administration is the lack of organized housing assistance. The commune, in accordance with Article 7 of the Commune Self-government Act of March 8, 1990¹⁸⁵ implements its own tasks in the field of municipal housing management.¹⁸⁶ The problem is that the amount of available social housing is not enough to meet the demand

¹⁸⁰ *Ibidem*.

¹⁸¹ Act of 27 August 2004 on Health Care Services financed from Public Funds (Journal of Laws of 2020, item 1398 with further amendments) [*Ustawa z dnia 27 sierpnia 2004 r. o świadczenia opieki zdrowotnej finansowanych ze środków publicznych (Dz. U. z 2020 r., poz. 1398 ze zm.)*].

¹⁸² See Article 54 of the above-mentioned Act.

¹⁸³ J. Wilczek, *Health outreach services for those who are rough sleeping in Poland*, <http://www.healthscotland.scot/media/3027/plenary-5-mental-health-outreach-work-in-poland-for-those-who-are-rough-sleeping-jakub-wilczek.pdf>, accessed: 13.04.2021.

¹⁸⁴ See Article 73 of Act of 27 August 2004 on Health Care Services Financed from Public Funds.

¹⁸⁵ The Commune Self-Government Act of 8 March 1990 (Journal of Laws of 2020, item 713 with further amendments). [*Ustawa z dnia 8 marca 1990 r. o samorządzie gminnym (Dz. U. z 2020 r., poz. 713 ze zm.)*]. Own translation from Polish language.

¹⁸⁶ See: Article 7 para 1 point 7 of the above-mentioned Act.

for these housing, and as a result people end up on the streets.¹⁸⁷ This outcome is inconsistent with the judgment of the Constitutional Tribunal of April 4, 2001. It decided that expulsion to the streets of individuals who through no shortcoming of their own cannot meet their housing needs disregards human respect and dignity.¹⁸⁸

As far as counteracting homelessness is concerned, the amendment to the Tenants' Rights Act, Municipal Housing Stock Act of 21 June 2001 is important. The amendment introduces the concept of a person at risk of homelessness, which implies that the commune would be obliged to provide social housing or other accommodation for these people. It also proposes to increase the number of people entitled to the alliance venue due to their material, personal, social and family situation. It is mainly about guaranteeing full protection against eviction to the streets. The amendment introduces protection for people evicted from housing which previously belonged to them, as well as for homeless people who have already been evicted from the rented premises. In particular, it is important that the amendment is primarily about ensuring full protection against eviction to the streets.¹⁸⁹

In Poland, one of the most important bodies in the fight against homelessness is the Human Rights Defender. The Commission of Experts for Counteracting Homelessness operates in the Office of the Human Rights Defender, which develops system solutions to be implemented at the central and local levels. Main of them was the introduction of the Charter of the Rights of Persons experiencing Homelessness in 2017 established by Housing Rights Watch and the European Federation of National Organizations Working with the Homeless (FEANTSA). This chart grants 10 rights, the most important of which is the right to get out of homelessness, followed by: the right to life-saving services: social welfare, health, police and fire brigades; the right to dignified temporary shelter and the right to equal treatment for all people, without discriminating against homeless people.¹⁹⁰ Next, the Regulation of the Minister of the Interior and Administration of November 8, 2018 amending the regulation on the voter register and the procedure for the transfer by the Republic of Poland to other Member States of

¹⁸⁷ J. Wilczek, *Health outreach services for those who are rough sleeping in Poland*, <http://www.healthscotland.scot/media/3027/plenary-5-mental-health-outreach-work-in-poland-for-those-who-are-rough-sleeping-jakub-wilczek.pdf>, accessed: 13.04.2021.

¹⁸⁸ The judgment of Polish Constitutional Tribunal of 4 April 2001, case file K. 11/00, LEX 46869 [*Wyrok Trybunału Konstytucyjnego z dnia 4 kwietnia 2001 r., K. 11/00, LEX 46869*].

¹⁸⁹ Zakaz eksmisji na bruk, <https://www.infor.pl/prawo/pomoc-spoeczna/bezdomnosc-i-mieszkanie-komunalne/703683,Zakaz-eksmisji-na-bruk.html>, accessed: 13.04.2021. Own translation from Polish language.

¹⁹⁰ Rzecznik Praw Obywatelskich, *Karta Praw Osób Bezdomnych. Skuteczna pomoc w walce z kryzysem bezdomności*, <https://www.rpo.gov.pl/sites/default/files/ulotka%20o%20Karcie%20Praw%20Osób%20Bezdomnych.pdf>, accessed: 13.04.2021.

the European Union of data contained in this register, the amendment of which introduces a solution that allows persons permanently residing in the area a given commune, which for various reasons are unable to provide a permanent address, submitting the application and, consequently, obtaining an entry in the register of voters.¹⁹¹ Also, as of January 1, 2019, the provisions of the amended Act on free legal aid and legal education entered into force, it was envisaged to expand the group of people entitled to free legal aid and to inform access to such assistance. Therefore, another action taken by the Human Rights Defender and the Commission was to facilitate access to free legal aid for people experiencing homelessness.¹⁹²

Another body responsible for government care for the homeless is the Minister of Family and Social Policy, whose latest action was to sign a new version of the “Overcome Homelessness” program in January this year. Its main goal consists of 4 modules, such as: “preventing homelessness by carrying out preventive measures; conducting intervention and activating activities aimed at people in a crisis of homelessness; supporting entities in adjusting their facilities providing services for the homeless to the applicable standards and inspiring them to implement new solutions in the field of helping the homeless”. This suggests that the programs that will be supported and favoured will actually be the ones promoting projects which provide people in danger of homelessness with social protection, and those offering extensive help in the process of overcoming homelessness in training flats or other non-institutional aid, provision of options for individuals experiencing chronic homelessness centered on the “housing first” model, and also offering procedural and therapeutic support in the form of assistantships, administering addiction counseling for the needy, as well as renovating homeless institutions; adjustment of spaces in current homeless facilities and procurement of new equipment for those centers in order to enhance their conditions.¹⁹³

In Poland, also the Minister of Health has also a position on the homeless. According to information from 2016, none of the previous health ministers supported the Human Rights Defender in the fight against homelessness, thus expressing the position that the regulations on ensuring the constitutional right to health protection for everyone are sufficient, and special assistance to people in a difficult financial situation, including people homeless, is carried out

¹⁹¹ Komisja Ekspertów przy Rzeczniku Praw Obywatelskich ds. Przeciwdziałania Bezdomności – sprawozdanie z działań w 2018 r., <https://www.rpo.gov.pl/pl/content/komisja-ekspertow-ds-przeciwdzialania-bezdomnosci-sprawozdanie-z-dzialan-w-2018-r>, accessed: 13.04.2021.

¹⁹² *Ibidem*.

¹⁹³ Ministerstwo Rodziny i Polityki Społecznej, *Pokonać bezdomność. Program pomocy osobom bezdomnym*. The legal basis for the program is article 23 para 1-point 7a of the Polish Act on Social Welfare of 12 March 2004, Warszawa 2021, available at: <https://www.gov.pl/web/rodzina/pokonac-bezdomnosc-program-pomocy-osobom-bezdomnym-edycja-2021>, accessed: 12.04.2021. Own translation from Polish language.

on the terms and to the extent specified in the Act on Social Assistance. However, later one may find out that the Minister of Health has undertaken a review of health insurance regulations and the announcement of providing primary health care services to all citizens in 2016. In the opinion of the Human Rights Defender, the most important aspect was to undertake the necessary systemic changes in order to facilitate assistance to the homeless.¹⁹⁴ On the other hand, in 2018, from the Minister's reply to the next letter from the Human Rights Defender, the Minister of Health states that such changes would be too costly for the country and emphasizes that they are also unnecessary due to the already extensive legislation in the system. The Minister also argues his position with the statement that “the mere change of the law, without the support and involvement of specialized institutions, will not improve health care for the homeless. Failure to use the universal health care system, despite the functioning of social assistance instruments, such as a homelessness recovery program that allows for the coverage of health insurance often results from the lack of awareness of this group about the existing possibilities or their rejection”.¹⁹⁵

Nevertheless, among all organs in the functioning of the Polish state, local self-government units play the most important organ in providing social assistance for the homeless.¹⁹⁶ As I mentioned in point 4.2 the binding function of a commune incorporate giving shelter, food and vital garment to individuals deprived of it, just as permanent, periodic and specific benefits, including health benefits, including the inclusion of medical services costs. It is important that legislative and self-legislative organization bodies may commission social help undertakings by giving sponsorships for financing or co-financing the dispatched assignment to non-administrative associations, as this leads to non-governmental organizations.¹⁹⁷

Examples of non-governmental organizations that work in cooperation with the government in Poland are the Polish Federation for Things Solving the Problem of Homelessness, or Foundation of St. Albert's Brother. Apart from that, also: Caritas Polska, the Catholic Community “Chleb Życia”, the Congregation of the Missionaries of Mercy, the Homeless Assistance Association, the Markot National Homeless Assistance System, MONAR, the SOS Foundation,

¹⁹⁴ Wystąpienie Rzecznika Praw Obywatelskich do Ministra Zdrowia w sprawie zapewnienia opieki zdrowotnej osobom bezdomnym oraz innym osobom nieuzyskującym dochodu, <https://www.rpo.gov.pl/pl/content/do-mz-ws-zapewnienia-opieki-zdrowotnej-osobom-bezdomnym-oraz-innym-osobom-nieuzyskujacym-dochodu>, accessed: 13.04.2021. Own translation from Polish language.

¹⁹⁵ Odpowiedź Ministra Zdrowia na wystąpienie Rzecznika Praw Obywatelskich w sprawie zapewnienia opieki zdrowotnej osobom bezdomnym oraz innym osobom nieuzyskującym dochodu, <https://www.rpo.gov.pl/sites/default/files/Odpowiedz%20Ministra%20Zdrowia%20w%20sprawie%20opieki%20zdrowotnej%20bezdromnych%2C%206.04.2018.pdf>, accessed: 13.04.2021. Own translation from Polish language.

¹⁹⁶ I. Lipowicz, *Samorząd terytorialny jako podmiot administracji świadczącej*, “Ruch Prawniczy, Ekonomiczny i Socjologiczny” 2015, no. 3, p. 115. Own translation from Polish language.

¹⁹⁷ P. Adamowicz, *op. cit.*, p.109. Own translation from Polish language.

the Solidarity Society for AIDS, Habitat for Humanity and Housing First.¹⁹⁸ Most of these organizations, such as the Foundation of St. Albert's Brother main focus is on providing food, clothing and shelter for the homeless, running homes for permanent residence, day homes, occupational therapy workshops, therapeutic clubs, adaptation centers, integration schools and kindergartens, as well as a range of therapeutic and rehabilitation classes.¹⁹⁹ In this part of my thesis, I would like to focus on the last two organizations mentioned – Habitat for Humanity and Housing First.

Starting with Habitat for Humanity Poland, which mainly deals with the construction and renovation of houses and flats “for poor people in a difficult housing situation, that is, those who have no place to live or who live in inadequate conditions”.²⁰⁰ The main activities of the organization are the construction of affordable housing together with groups of poor families; creating flats that help in the transition from living in an institution to full independence and renovation of vacant buildings. The organization works on the principle where people in need mainly address it themselves, and then take an active part in actions taken to improve their life situation, i.e., they take part in construction or renovation works, and also make a financial contribution to the project. Their financial contribution consists mainly in paying off an interest-free loan granted by Habitat, and the amount and repayment period of the loan is adjusted to the financial capabilities of the person to whom the loan is addressed. The money from the repayment is directed towards the next projects of the organization. When it comes to the question of where Habitat itself organizes funds to help those in need, their two sources are donations from companies, private individuals and other organizations belonging to the Habitat for Humanity network and a revolving fund, which receives money from loans repaid by people to whom have already helped.²⁰¹

The last organization under discussion is The Housing First Poland Foundation. Although Housing First has been operating in the USA for over several years, its implementation in Poland began only recently. The organization's mission is to provide an atmosphere in which people experiencing chronic homelessness and mental health crises will regain full health and permanently end their homelessness, for example by implementing the Housing First plan. One of the first collaborations in which they participate in is the Housing First in Warsaw, which is

¹⁹⁸ B. Moraczewska, *op. cit.*, p. 121. Own translation from Polish language.

¹⁹⁹ History of the Polish St. Albert Community Foundation, <https://albert.krakow.pl/pl/historia/>, accessed: 13.04.2021. Own translation from Polish language.

²⁰⁰ The site of Habitat for Humanity Poland, <https://habitat.pl/czesto-zadawane-pytania/>, accessed: 13.04.2021. Own translation from Polish language.

²⁰¹ *Ibidem*.

a project entitled “Housing First – Innovative Methods for a Durable Solution to the Problem of Chronic Homelessness”. The undertaking is co-financed by the European Union under the European Social Fund under the Knowledge Education Development Operational Program 2014–2020 and from the state financial plan. The aim of the project is to develop, evaluate, and adopt a Permanent Ending Homelessness Model based on the “Housing First” strategy through “transfer, adaptation, and implementation, as well as knowledge and experience sharing in collaboration with an international partner from Finland”.²⁰² This partnership began with the aim of encircling two specific classes. People exiled to the social margin due to long-term homelessness and mental health issues make up the first category, while workers of Warsaw social assistance and integration organizations, local offices and departments, and non-governmental organizations make up the second. The program was initiated as the seed of a movement in homelessness and housing exclusion assistance into a Housing First structure.²⁰³

Although there are relatively many programs and organizations helping the homeless, the help provided is still not sufficient. Consideration should be given to the opinion of the Supreme Chamber of Control as of year 2020. According to that opinion, it is not easy to determine whether the decreasing number of homeless people in the Polish state is due to governmental and non-governmental activities, or is due to some other reason, because “the system consisting of activities undertaken by government and local administration bodies and non-governmental organizations is neither coherent, nor effective - it does not provide the homeless with activation, thanks to which they could achieve life independence”²⁰⁴. In addition, he emphasizes that the changes to the Act on social assistance introduced in 2016 did not bring the intended effects, and all organizations, instead of implementing new, improved programs, continue to focus on providing food, clothing and shelter to the homeless, which in the long run does not bring any results in the question of overcoming this phenomenon. According to the data of the Ministry of Family, Labor and Social Policy, in 2018 approximately PLN 271 million was allocated to financing the activities of facilities aiding the homeless, as well as to benefits and other benefits from the state budget, and only PLN 11 million to financing programs, which help overcome homelessness, e.g., the Overcome Homelessness program. Another issue is officials and social activists who do not comply with the changes introduced in

²⁰² Housing-First Poland Programme, <https://najpierwmieszkanie.org.pl/publikacje/projekt/najpierw-mieszkanie-FFW/>, accessed: 13.04.2021. Own translation from Polish language.

²⁰³ *Ibidem*.

²⁰⁴ Najwyższa Izba Kontroli, *Wychodzenie z bezdomności – co nie działa?*, <https://www.nik.gov.pl/aktualnosci/sprawy-spoeczne/wychodzenie-z-bezdomnosci.html>, accessed: 13.04.2021. Own translation from Polish language.

the legislature or perform their work in an incompetent manner, which manifests itself in the lack of monitoring of financed projects, thus violating the Act on social assistance. Yet another systemic problem is the fact that the Supreme Chamber of Control noticed that there was a risk of double financing the costs of homeless people in shelters, which was caused by the fact that homeless people were charged without law for their stay in shelters both by municipalities that have not stopped detailed rules for paying fees in shelters and by non-governmental organizations that illegally collected money from people using their services.²⁰⁵

To conclude, I would like to point out that Poland is a country with great potential, however often used in various ways. Therefore, while the number of homeless people in Poland is decreasing, e.g., compared to 2015, where there were about 6,000 more people, the problem of the system still continuous to exists in the area of social welfare environment and causes further consequences in terms of the functionality and efficiency of homeless assistance programs.²⁰⁶ In my opinion, the Republic of Poland should stop continuing the obsolete methods of fighting homelessness and take the risk by starting the implementation of newer and newer programs, the real goal of which is to combat homelessness, not to surrender to it.

²⁰⁵ *Ibidem.*

²⁰⁶ *Ibidem.*

Conclusions

According to YaleGlobal, “homelessness is a mark of failure for communities in providing basic security”.²⁰⁷ Homelessness is one of the worst tragedies that can befall a human being. It is an extremely cruel phenomenon and can affect anyone in the blink of an eye. Most of the homeless is associated with someone dirty, drunk and scary, hardly anyone realizes that there are homeless single mothers, children, entire families or old people in the world. Such people are often attributed the worst qualities, are constantly stigmatized and cut off from society, left to themselves with no prospects for a better future.²⁰⁸

Beginning with the United States, it can be noted that the organization of the functioning of the state in the United States is by far the most complicated among the rest of the countries, which also results from its size and population. There are also many acts concerning the poor and the homeless. However, although the country has been struggling with homelessness on a very large scale since the Reagan presidency and billions of dollars are spent on aid, the problem is probably not alleviated as most of this money is spent on shelters, night shelters and heating facilities.

The second chapter deals with Finland, a welfare state with extensive legislation on fundamental rights, housing, homelessness and social assistance, and a very large social administration background. Due to the fact that Finland is the only country where homelessness is constantly decreasing, it can be concluded that its success lies in both the state system and the functioning of such an extensive administration, as well as the excellent implementation of the “housing first” approach, which actually turned out to be the key to solving the problems of people struggling with poverty, addiction and homelessness.

Finishing the thesis on Poland, it can be noticed that although homelessness does not seem to be as present as in the USA, it is still often ignored. As for the legislation in Poland concerning the poor and homeless, it can be said that it is quite extensive, but a big problem lies with the public administration, which often does not fulfill its obligations properly. In addition, programs using the “housing first” approach are fairly new, unknown and undeveloped,

²⁰⁷ J. Chamie, *As Cities Grow, So Do the Numbers of Homeless*, <https://yaleglobal.yale.edu/content/cities-grow-so-do-numbers-homeless>, accessed: 3.05.2021.

²⁰⁸ See more: M. Johnstone, J. Jetten, G.A. Dingle, C. Parsell, Z.C. Walter, *Discrimination and well-being amongst the homeless: the role of multiple group membership*, “Stigma and Health” 2017, Vol. 3(4), <https://doi.org/10.1037/sah0000103>.

and similarly to the US - most of the money spent on combating homelessness subsidizes shelters and similar centers.

To conclude, homelessness is a multi-layered and complex problem, but there are preventive measures as well as centrally targeted measures to overcome it. The “housing first” approach was born in the United States, has achieved its greatest success so far in Finland, and is only taking its first steps in Poland. It is the “housing first” approach that binds these 3 countries together and I believe that with its right implementation and sustained proper functioning, each country would have a chance to completely eradicate homelessness.

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