



ENIL Amendments to the Proposal for an EU Affordable Housing Act: Ensuring Accessible and Inclusive Housing for Persons with Disabilities

Affordable Housing Act must address the shortage of accessible housing

The European Commission's proposed Affordable Housing Act is an important opportunity to address the housing crisis across the European Union. However, the **proposed Act does not sufficiently address the specific housing needs and barriers faced by persons with disabilities**, or explicitly refer to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Around **90 million people in the EU live with a disability**. Persons with disabilities face a higher risk of poverty and social exclusion, which also affects their access to housing. **In 2024, 28.8% of persons with disabilities were at risk of poverty or social exclusion, compared with 17.9% of persons without disabilities.** Housing costs are also a concern: **10.4% of persons with disabilities experienced housing cost overburden, compared with 7.8% of persons without disabilities.** Additional costs related to adaptations, personal assistance and other support can make housing even less affordable.

For persons with disabilities, the housing crisis is not only about the availability of housing, but also about whether homes are accessible and enable independent living. Estimates suggest that **70–80% of the existing housing stock is unsuitable for people with mobility impairments**. Increasing the overall supply of housing will not be sufficient if new homes cannot be accessed and used by persons with disabilities.

The shortage of suitable housing affects people in cities, smaller towns and rural areas, **including places that are not identified as experiencing general housing stress**. Access to housing also depends on the availability of accessible transport, infrastructure and community-based support. **Social and non-profit housing should also take into account the accessibility needs of persons with disabilities.**

Housing affordability is closely linked to energy poverty. **In 2024, 13.2% of persons with disabilities in the EU were unable to keep their homes adequately warm, compared with 9.2% of the population overall.** Climate change and more frequent heatwaves also make it important to ensure that housing is safe and suitable for different needs.

The lack of accessible and affordable housing can also contribute to homelessness and housing exclusion. **Persons with disabilities may face additional barriers**



when looking for housing, including discrimination and a lack of suitable options. Access to housing is equally important for deinstitutionalisation. An estimated **1.4 million persons with disabilities in the EU lived in institutional settings in 2020.** Without access to suitable housing and community-based support, people may be unable to leave institutions and live independently in the community.

Accessibility is also relevant in the context of an ageing population. The European Commission estimates that **by 2050 around 30% of the EU population will be aged 65 or over.** Applying **Universal Design principles in new construction and progressively improving the accessibility of existing housing** can help ensure **that homes meet people's needs throughout their lives.**

The European Union is a State Party to the **UNCRPD. Articles 9, 19 and 28** are addressing accessibility, the right to live independently and be included in the community, and the right to an adequate standard of living, including adequate housing.

ENIL is proposing the following amendments to ensure that the Affordable Housing Act better reflects the housing situation and rights of persons with disabilities.

Recital 2a (new)

Text proposed by the European Commission	Amendments
Whereas: (2) The analysis set out in the Commission staff working document 'Understanding the housing crisis'¹² demonstrates that although housing affordability challenges are present across the Union, their severity and underlying drivers vary significantly between and within Member States. In particular, major urban centres, metropolitan areas with strong labour market growth and certain areas characterised by high tourism intensity	Whereas: (2) The analysis set out in the Commission staff working document 'Understanding the housing crisis'¹² demonstrates that although housing affordability challenges are present across the Union, their severity and underlying drivers vary significantly between and within Member States. In particular, major urban centres, metropolitan areas with strong labour market growth and certain areas characterised by high tourism intensity have experienced sustained



have experienced sustained imbalances between housing supply and demand.

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(2a) Persons with disabilities face specific barriers in accessing adequate, affordable and accessible housing. Estimates suggest that 70–80 % of the existing housing stock is unsuitable for people with mobility impairments. In 2024, 10.4 % of persons with disabilities in the EU experienced housing cost overburden, compared with 7.8 % of persons without disabilities. The shortage of accessible and affordable housing can restrict the choice of persons with disabilities as to where and with whom they live and prevent them from living independently and being included in the community. Additional costs related to personal assistance, accessible transport, housing adaptations and energy may further affect housing affordability. Access to accessible and affordable housing, together with appropriate community-based support, is essential to enable persons with disabilities to live independently and to prevent housing exclusion and institutionalisation.

Explanation: This amendment ensures that the specific housing barriers faced by persons with disabilities are reflected in the proposed Act, in line with their right to



independent living under the UNCRPD.¹²

Recital 2b (new)

Text proposed by the European Commission	Amendments
	(2b) The European Union and its Member States are bound by the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), within their respective competences. Articles 9, 19 and 28 address accessibility, the right to choose where and with whom to live, and the right to an adequate standard of living, including adequate housing, without discrimination. Housing policies and measures should be consistent with these obligations.
<i>Explanation:</i> This amendment clarifies that the proposed Act should be consistent with	

¹ Eurostat, 'Disability statistics – housing conditions', *Statistics Explained*
https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_housing_conditions

² European Parliament, *Resolution of 10 March 2026 on the housing crisis in the European Union with the aim of proposing solutions for decent, sustainable and affordable housing* (2025/2070(INI)), P10_TA(2026)0064
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52026IP0064>.



the EU's and Member States' obligations under the UNCRPD.³⁴

Recital 29a (new)

Text proposed by the European Commission	Amendments
(29) Restrictions affecting internal market freedoms must be suitable for attaining the objective pursued and must not go beyond what is necessary to achieve it. Accordingly, the presence of housing stress in a particular area should not in itself justify the adoption of restrictive measures. Competent authorities should demonstrate, on the basis of objective evidence, that the activity concerned has had a significant adverse effect on housing affordability or availability in the area concerned over at least three years preceding the adoption of the measure and that the measure is necessary and proportionate in light of the specific circumstances of the area concerned.	(29) Restrictions affecting internal market freedoms must be suitable for attaining the objective pursued and must not go beyond what is necessary to achieve it. Accordingly, the presence of housing stress in a particular area should not in itself justify the adoption of restrictive measures. Competent authorities should demonstrate, on the basis of objective evidence, that the activity concerned has had a significant adverse effect on housing affordability or availability in the area concerned over at least three years preceding the adoption of the measure and that the measure is necessary and proportionate in light of the specific circumstances of the area concerned. (29a) Increasing the availability of housing must take into account the accessibility needs of persons with disabilities. Accessibility should be

³ United Nations, *Convention on the Rights of Persons with Disabilities*, Article 28, 'Adequate standard of living and social protection'
<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-28-adequate-standard-of-living-and-social-protection.html>.

⁴ United Nations, *Convention on the Rights of Persons with Disabilities*, Article 19, 'Living independently and being included in the community'
<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-19-living-independently-and-being-included-in-the-community.html>.



	considered from the outset in the construction and renovation of housing, including through the application of Universal Design principles. Existing housing stock should be progressively adapted to improve accessibility, while individual adaptations should remain available where required. Accessibility should extend beyond the dwelling itself to common areas and the surrounding environment, including access to transport and essential services.
<i>Explanation:</i> Accessibility should be an integral part of housing development, rather than an issue addressed only after construction. Applying Universal Design principles from the outset can also reduce the need for costly adaptations later.⁵	

Recital 30

Text proposed by the European Commission	Amendments
(30) While the use of residential property for purposes other than the primary residence adds demand pressure in already constrained housing markets, the supply-demand mismatch is also driven by insufficient supply of residential housing. Restrictions on access to, or the provision of, short-term accommodation rental services or on the acquisition and	(30) While the use of residential property for purposes other than the primary residence adds demand pressure in already constrained housing markets, the supply-demand mismatch is also driven by insufficient supply of residential housing. Restrictions on access to, or the provision of, short-term accommodation rental services or on the acquisition and use of

⁵ United Nations, *Convention on the Rights of Persons with Disabilities*, Article 9, 'Accessibility', <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-9-%20accessibility.html>.



use of land and residential property for purposes other than primary residence alone cannot address the structural causes of housing shortages in the long term. While restrictions that are limited in time and in scope could mitigate housing demand pressures in the short term, competent authorities should complement any such restriction with measures to increase housing supply in those areas, in particular the supply of social and affordable housing.

land and residential property for purposes other than primary residence alone cannot address the structural causes of housing shortages in the long term. While restrictions that are limited in time and in scope could mitigate housing demand pressures in the short term, competent authorities should complement any such restriction with measures to increase housing supply in those areas, in particular the supply of social and affordable housing.

(30a) Social housing is an important housing option for persons at risk of poverty and housing exclusion, including persons with disabilities. However, social housing is not automatically accessible housing, and increasing its supply does not in itself ensure access to adequate housing for persons with disabilities. Measures to increase the supply of social housing must ensure accessibility from the outset, including applying universal design principles in the construction and renovation of housing, and through accessibility of common areas and surrounding environment. Such measures should also prevent segregation and ensure social housing contributes to inclusive communities and enables persons with disabilities to live independently.

Explanation: Increasing social housing supply alone is not enough if the homes remain inaccessible or contribute to segregation. Accessibility and inclusive communities must therefore be part of efforts to expand social housing.



Article 2

Scope

Text proposed by the European Commission	Amendments
1. This Regulation applies to the following measures taken by competent authorities, where those measures are justified by the necessity to safeguard housing affordability and availability:	1. This Regulation applies to the following measures taken by competent authorities, where those measures are justified by the necessity to safeguard housing affordability and availability: (c) measures expanding the supply of accessible and affordable social housing, including measures to increase the availability of social housing that is accessible to persons with disabilities (d) measures expanding the supply of accessible non-profit housing and improving access to such housing for persons with disabilities; (f) measures ensuring the availability of a sufficient supply of accessible emergency and temporary accommodation for persons experiencing or at risk of homelessness, including persons with disabilities
<i>Explanation:</i> These measures recognise that increasing housing supply must also address the specific barriers faced by persons with disabilities. This includes access to social and non-profit housing, as well as accessible emergency and temporary accommodation for persons experiencing or at risk of homelessness.	



Article 4

Definitions

Text proposed by the European Commission	Amendments
For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply: (11) ‘social housing’ means housing provided to disadvantaged households or socially less advantaged groups who, due to their socioeconomic background, are unable to access adequate housing on the market;
Explanation: The definition is based on the EU framework on Services of General Economic Interest (SGEI) and the European Commission’s Affordable Housing Act proposal, which provide the relevant context for defining social housing and identifying the households it is intended to support ⁶⁷	

Text proposed by the European Commission	Amendments
	(12) ‘non-profit housing’ means housing provided by an entity that does not

⁶ Commission Decision (EU) 2025/2630 of 16 December 2025 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32025D2630>.

⁷ European Commission, [official title of COM(2026) 599 final], COM(2026) 599 final <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2026:599:FIN>.



	distribute profits arising from the provision of such housing to its owners or members and reinvests any surplus in the provision or maintenance of housing;
Explanation: The definition of ‘non-profit housing’ draws on the EU policy framework on housing and the European Commission’s guidance on affordable housing, recognising housing provision where the primary objective is to meet housing needs rather than generate profit. ⁸	

Text proposed by the European Commission	Amendments
	(13) ‘accessibility’ means the extent to which housing, buildings, common areas and the surrounding environment can be accessed and used by persons with disabilities on an equal basis with others, taking into account their diverse accessibility needs;
Explanation: The definition of ‘accessibility’ is based on Article 9 of the UN Convention on the Rights of Persons with Disabilities (UNCPRD), which requires measures to ensure access, on an equal basis with others, to the physical environment, including housing and buildings	

⁸ European Commission, *COM(2025) 1025 final*; Council Recommendation (EU) 2026/2069.



Article 6

Assessment of housing stress

Text proposed by the European Commission	Amendments
	6. When assessing whether an area is under housing stress, the competent authority shall take into account the specific housing situation of persons with disabilities, including the availability of adequate, affordable and accessible housing, and the extent to which housing in the area meets their accessibility needs. An area may experience housing stress for persons with disabilities where, despite the availability of housing in general, there is an insufficient supply of adequate and accessible housing. Authorities shall monitor housing stress on a yearly basis. If housing stress has been identified, measures shall be taken without delay to both remedy the situation on a short-term and long-term basis.
Explanation: An area may have sufficient housing overall while still lacking adequate and accessible homes for persons with disabilities. This amendment ensures that housing stress assessments reflect these specific barriers and needs.⁹	

⁹ Eurostat, 'Disability statistics – housing conditions', *Statistics Explained*, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_housing_conditions.



Text proposed by the European Commission	Amendments
	7. When assessing whether an area is under housing stress, the competent authority shall also take into account the availability of social housing that is adequate, affordable and accessible to persons with disabilities, including whether the supply is sufficient to meet identified local housing needs.
Assessing the availability of social housing should also take into account whether suitable homes are accessible to persons with disabilities and whether the local supply meets their needs.	

Text proposed by the European Commission	Amendments
	8. When assessing whether an area is under housing stress, the competent authority shall also take into account the availability of non-profit housing that is adequate, affordable and accessible to persons with disabilities, including whether the supply is sufficient to meet identified local housing needs.
Explanation: Ensuring that assessments of housing stress take into account the availability of non-profit housing that meets the specific needs of persons with disabilities. It recognises that the existence of housing alone is insufficient if it is not adequate, affordable and accessible, and that local authorities should assess whether	



the available supply meets actual local needs.¹⁰

Article 7

Territorial scope of an area under housing stress

Text proposed by the European Commission	Amendments
1. The territorial scope of an area under housing stress referred to in Article 6 shall not exceed what is necessary to safeguard housing affordability and availability. Such areas may be districts, municipalities, metropolitan areas, functional urban areas, agglomerations, rural areas or any part thereof.	1. The territorial scope of an area under housing stress referred to in Article 6 shall not exceed what is necessary to safeguard housing affordability and availability. Such areas may be districts, municipalities, metropolitan areas, functional urban areas, agglomerations, rural areas or any part thereof. 2. Where housing stress is identified on the basis of the housing situation of persons with disabilities, the territorial scope shall reflect the geographical area in which the identified shortage of adequate, affordable and accessible housing occurs.
<i>Explanation:</i> Housing stress assessments should reflect where persons with disabilities face shortages of affordable and accessible housing. Eurostat data show that in 2024, 10.4% of people aged 16 or over with a disability in the EU experienced housing cost overburden, compared with 7.8% of people without a disability. This highlights the need to take their specific housing situation into account when defining areas under housing	

¹⁰ Eurostat, 'Disability statistics – housing conditions', *Statistics Explained*, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_housing_conditions.



stress.¹¹

Article 8

Non-discrimination

Text proposed by the European Commission	Amendments
1. The measures shall not be directly or indirectly discriminatory between nationals of Member States on grounds of nationality or, in the case of legal persons established in a Member State, on grounds of their Member State of establishment.	1. The measures shall not be directly or indirectly discriminatory between nationals of Member States on grounds of nationality or, in the case of legal persons established in a Member State, on grounds of their Member State of establishment. 2. When applying this Regulation, competent authorities shall take into account the specific discrimination and housing exclusion experienced by persons with disabilities when accessing housing.
<i>Explanation:</i> Persons with disabilities may face discrimination and additional barriers when looking for housing. In 2024, 9.3% of persons with disabilities reported experiencing discrimination when looking for housing in the EU. This should be taken into account when competent authorities apply the Regulation.	

¹¹ European Network on Independent Living (ENIL), *Home is Where Independent Living Is: Briefing on the Role of Housing in Supporting Independent Living* (August 2026), available at: https://enil.eu/wp-content/uploads/2026/09/Home-is-Where-Independent-Living-Is_web.pdf



Article 12

Duration and review of measures

Text proposed by the European Commission	Amendments
2. A competent authority shall regularly review whether a measure referred to in Article 5 continues to comply with the requirements laid down in Articles 6 to 10. The first review shall be carried out within five years from the date of adoption of the measure.	2. A competent authority shall regularly review whether a measure referred to in Article 5 continues to comply with the requirements laid down in Articles 6 to 10. The first review shall be carried out within five years from the date of adoption of the measure. Where housing stress has been identified on the basis of the housing situation of persons with disabilities, the review shall also assess whether the housing situation of persons with disabilities has improved.
<i>Explanation:</i> Regular reviews should assess not only whether housing measures comply with the Regulation, but also whether they improve the housing situation of persons with disabilities. This helps ensure that identified accessibility and affordability gaps are addressed in practice.	

About the European Network on Independent Living

The European Network on Independent Living (ENIL) is a disabled-led, cross-disability network of disabled people and their representative organisations. ENIL promotes the right to independent living, as set out in Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD), its General Comments and the Guidelines on deinstitutionalisation, including in emergencies. ENIL's work is guided by the CRPD and the Independent Living principles, enshrined in the Independent Living Pillars. ENIL is active at the European level, and internationally, through cooperation with Centres for Independent Living from around



the globe. ENIL's actions and activities are based on the social and the human rights models of disability, and on the principles of inclusive equality, self-determination, solidarity and intersectionality.

ENIL has participatory status with the Council of Europe (i.e. is a member of the Conference of INGOs) and consultative status with ECOSOC.

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**Co-funded by
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