

SPAIN LOOKS TO EU FOR HELP WITH SQUATTERS

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A Spanish citizen has formally petitioned the European Parliament to investigate Spain's protection—or lack thereof—of property owners afflicted by squatters and delinquent renters.

Mar Guirao filed the petition in May as both an act of desperation and a cry for justice, [El Debate reports](#). She finds herself on the verge of homelessness while the local government is allowing her delinquent renter to live rent free.

Guirao relocated for professional reasons from Sant Sadurní d'Anoia in Barcelona to Huesca, another region of Spain, fifteen years ago, and when she moved, she rented out the Barcelona flat she owned. Life and work in Huesca moved along, she had a daughter, now ten, and faithfully paid both the mortgage on her apartment in Barcelona and the rent for her flat in Huesca. Then, two years ago, the same time that the COVID-19 hit, her renter in Sant Sadurí d'Anoia simply stopped paying rent.

The government had put a moratorium on evictions during the first months of the pandemic, but Guirao eventually started legal action against the renter. Unfortunately in Spain, evicting a delinquent renter is a long drawn out legal process. On the first court date, the renter didn't show, causing it to be rescheduled. Just before the second court date, the renter was declared "vulnerable," a category that makes an eviction almost impossible. Under a 2021 regional law in Catalunya, those renters who are declared to be in a situation of economic or social difficulty can't be evicted unless alternative housing is found for them. Guirao also told *El Debate* that the renter had made it clear to her that he had no intention of leaving the apartment.

Now Guirao finds herself vulnerable—swimming in debt, surviving through the help of friends and family, and fearing homelessness. According to Guirao, the city's social services has offered her an apartment in low-income housing for which she will still have

to pay rent while “my flat is lived-in for free,” she noted ironically.

Guirao’s deadbeat renter has become a squatter. Squatting [has spiked](#) in the country in the last several years, particularly in the Barcelona region where the leftist local governments often favour squatters, as evidenced by the law protecting Guirao’s occupant. The steady increase started in 2015, when 10,376 cases occurred throughout the year. Between January and September of 2021, the police collected 13,389 reports of trespassing or usurpations of homes, a figure that works out to 49 illegally occupied homes every day. In the same months of 2020, the number of reported illegal occupations was 11,319. Approximately 40% of squatting in the entire country occurs in Cataluña.

The squatting phenomenon is not fuelled by desperate people seeking shelter, but by gangs that often intentionally usurp lived-in homes and then, knowing the long legal route the owners will face in throwing them out, extort the rightful residents by offering to leave for a payment of thousands of euros.

Along with squatting for extortion, there is the increasing reality of delinquent-renters-turned-squatters. The Platform for Those Affected by Squatting estimates that 70-80% of the cases brought to them are situations of delinquent renters protected by legal obstacles to their eviction. Very few cases, 5-10%, are in economic straits, the platform also estimates.

They are advocating for changes to Spanish law that would both better protect landlords and allow the police to act more swiftly in clear cases of direct usurpation. In many countries in Europe, according to the platform, the police can directly act on a complaint of illegal occupation if the occupant doesn’t provide proof of legal occupancy. Currently, Spanish law provides a very slim margin for the police to act without having to first obtain a sentence from a judge. The platform is also preparing a lawsuit against the government on behalf of affected property owners.

While they advocate for change, the platform encourages landowners to work the legal

route of justice despite the difficulties.

“The rule of law is being attacked, but it is still standing and working. These criminals must be reported, although certainly with all the legal obstacles, it is going very slowly,” Toni Miranda, president of the platform, told [*El Debate*](#).

How slow justice may be in coming, Guirao knows all too well.