

# Questionnaire for the public consultation on the Revision of the State aid rules for services of general economic interest, in particular on Housing

Fields marked with \* are mandatory.

## Questionnaire for the public consultation on the Revision of the State aid rules for services of general economic interest, in particular on Housing

---

Housing affordability has deteriorated in recent years. Most Member States are now suffering critical housing shortages, in particular in major cities. Housing costs have risen considerably relative to incomes, representing a major social challenge and burden for families, young people, and others who are unable to access appropriate housing at an affordable price. This has an impact on European competitiveness by hurting mobility and access to employment opportunities, including for key workers in the society. In addition, housing of low quality has direct negative impacts on quality of life and health. The housing challenges are particularly acute in urban areas, where three quarters of the EU population live, and also affect rural areas (with sometimes excessive demand in urban areas or falling prices due to depopulation in rural areas).

In order to address this urgent issue, strong policy action at European level is needed to support the national, regional and local levels as effectively as possible. The Commission has appointed a Commissioner for Housing and has set up a Task Force on Affordable Housing to coordinate Commission workstreams on housing. The Commission will put forward a European Affordable Housing Plan in 2026 to complement Member States, regional and local governments' housing policies and initiatives, while respecting the principle of subsidiarity in the housing sector and taking into account the various interests of the many relevant stakeholders.

Member States' support to facilitate affordable housing projects may involve a wide range of financial and regulatory instruments. The introduction of such instruments could constitute State aid and/or require State aid clearance by the Commission.

Member States may grant Services of General Economic Interest (SGEI) compensation for social housing without prior Commission approval and without any compensation limit under the [SGEI Decision](#), provided that all conditions therein are complied with.

While in principle the SGEI Decision could also cover affordable housing SGEIs, (i) affordable housing is not expressly defined in the SGEI Decision, making the use of the Decision difficult for Member States to design SGEIs for affordable housing, and (ii) to the extent that these SGEIs would go beyond the scope of social housing, compensation under the SGEI Decision could not exceed EUR 15 million per year which is insufficient to address existing needs.

Beyond EUR 15 million/year, affordable housing SGEIs could be subsidised under the [SGEI Framework](#) (applicable in cases where the SGEI Decision does not apply), subject to prior notification and Commission approval. Besides the difficulty of designing affordable housing SGEIs and the need to notify the related measures, the SGEI Framework has more stringent compatibility conditions than the SGEI Decision, which makes it impractical for funding affordable housing. Also, Member States have never notified an affordable housing compensation under the SGEI Framework.

In light of this, State aid for affordable housing measures has been approved by the Commission in a few cases directly under Article 107(3)(c) of the Treaty on the Functioning of the European Union (“TFEU”), following an assessment to verify whether the positive effects of the aid outweigh its negative effects. The Commission approved three housing schemes in recent years in this way, concerning Sweden ([SA.56305](#)) [1], Ireland ([SA.102927](#)) [2] and Czechia ([SA.106249](#)) [3]. However, such decisions require a notification and a case-by-case assessment, which makes such approach unfit for a generalised application.

Against this background, the Commission will revise the SGEI rules to offer more flexibility to Member States to support affordable housing notably through the financing of the construction of new buildings and /or renovations of existing buildings. In doing so, the Commission however also considers it essential to avoid (i) undue interference with market forces, which could crowd out private investment and distort competition, and (ii) an impact on social housing to the detriment of the most vulnerable groups in society.

With this revision, the Commission proposes to introduce a definition for affordable housing in the SGEI Decision. The Commission is currently considering the following definition for State aid purposes only and without prejudice to other definitions that Member States or other institutions may use in other circumstances:

***“Housing for households, who are not able, due to market outcomes and notably market failures, to access housing that meets minimum energy performance levels at affordable conditions.”***

Affordable housing SGEIs, as defined above, could be compensated under the SGEI Decision either without limitation of amount or up to a maximum amount to be determined.

The Commission will provide guidance in the SGEI rules on some general conditions that need to be considered in the design of affordable housing SGEIs, as defined above, to ensure consistency with the definition and avoid the risk of manifest errors.

In addition, the Commission proposes to clarify that the costs linked with investments in the renovation of social and affordable housing can be taken into account for the financing of social and affordable housing SGEIs.

Moreover, the Commission will also simplify, update and clarify some concepts in the SGEI Decision, and possibly the [SGEI Communication](#), without introducing new rules in this respect, further to the [evaluation](#) of the SGEI rules and [the review](#) of the [SGEI de minimis Regulation](#).

Against this background, this public consultation aims to gather input that will help shape the Commission’s revision of the SGEI rules. The public consultation is open until 31 July.

The responses from this consultation will be analysed and a factual summary of the main points and the conclusions will be made public on the Commission’s central public consultations page. A factual summary report will be published on the consultation page after the public consultation is closed. Moreover, a synopsis report will be prepared, containing a summary of all the consultation results activities.

[1] On 11 September 2020, the Commission approved an aid scheme in Sweden directly under Article 107(3)(c) TFEU, which provides support for the construction of (a) rental housing in areas experiencing population growth and housing shortages, or in municipalities experiencing population growth and suffering from a lack of a certain type of housing, and (b) student rental housing in or near municipalities which have universities or other higher education institutions.

[2] On 6 February 2023, the Commission approved an Irish aid scheme to support the building of apartments for sale to owner-occupiers in Dublin and other Irish cities with a view to increasing the supply of apartments and stimulate ownership of housing. In the context of this case, the Irish authorities demonstrated that current market prices are not sufficient to cover the increasing delivery costs of apartments and that this has resulted in a housing shortage in Irish cities.

[3] On 8 April 2024, the Commission approved a Czech aid measure to support affordable rental housing in Czechia. The measure aims at increasing the supply of affordable housing for a set of target groups (e.g. essential workers such as police, teachers, firemen, health professionals, as well as refugees), by supporting the construction and renovation of housing through grants and loans. The additional housing supply, to be rented at 'below market' rates, would not be financially viable to build without the aid.

## General information on the respondent

---

\* Category of respondent?

- ☐ Citizen
- ☒ Public authority (National)
- ☐ Public authority (Regional)
- ☐ Public authority (Local)
- ☐ Company/business
- ☐ Association of companies/businesses
- ☐ Financial institution
- ☐ Social partner
- ☐ Academic/research institution
- ☐ NGO
- ☐ Other [please, specify]

\* Nationality?

- ☒ EU
- ☐ Non-EU/multinational

\* EU member state

NL - Netherlands

## Definition of affordable housing

---

While there is currently no common definition of affordable housing at EU level, the notion needs to be defined for State aid purposes to identify which type of housing services may be compensated under the revised SGEI Decision. The Commission envisages to introduce the following definition of affordable housing for State aid purposes only:

*“Housing for households, who are not able, due to market outcomes and notably market failures, to access housing that meets minimum energy performance levels at affordable conditions”.*

\* Do you consider that the proposed definition is sufficient to allow Member States to implement affordable housing SGEIs under the SGEI Decision while avoiding

(i) undue interference with market forces, which could crowd out private investment and distort competition,

and

(ii) an impact on social housing to the detriment of the most vulnerable groups in society?

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

The NL welcomes the revision of the SGEI rules to allow State aid for middle-income housing.

An increasing number of households, who do not qualify for social housing, are unable to access affordable housing on the private market. Those most in need of assistance to find affordable housing are lower- and middle-income households, as well as single parents, couples with two or more children, those with precarious labour contracts, people with disabilities, and the elderly. The NL can now provide aid for the construction and rental of social housing for many of these households. However, households (just) above the social rent income level usually do not have enough income to buy a home or pay the monthly rent in the private sector. The proposed definition enables the NL to provide housing that is affordable for these households. The target group for housing corporations remains social housing for those on low incomes (including the current maximum income limit). To prevent low middle income households from being displaced by those with higher incomes, legislation and/ or administrative agreements will be made with the housing corporations and municipalities.

The NL is committed to creating a healthy investment climate to mitigate the housing shortage. This is a high priority, and it continuously monitored. To encourage private investors to invest in the housing market, research is already being conducted into the investment market and potential improvements. Alongside ensuring a resilient investment climate in the housing market, the NL recognizes the urgent need to address the shortage of affordable housing for middle-income earners, which could justify establishing an SGEI. This was recognized by the CJEU in its Libert case law. In addition, in the Cali Apartments case, the CJEU ruled that addressing a shortage of rental housing constitutes an imperative interest of general interest.

\* For Member States: Would the proposed definition raise any concerns about planned or existing affordable housing measures in your Member State?

- ☐ Yes  
☒ No  
☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

In the NL, households with an income above the SGEI rental limit but below the threshold required to afford housing in the private rental sector are classified as middle-income.

Various measures have been taken in recent years to increase the supply of mid-market-rental homes. While the total private housing stock has increased, the number of affordable homes has decreased. Affordability for middle-income households in the rental market has come under increasing pressure, also due to a persistent mismatch between supply and demand.

On 1 July 2024, national legislation regulating middle-income rental housing was introduced. This means that the housing valuation system, where the maximum rent can be calculated based on quality of the dwelling via a point system, has been extended to the middle rent limit. Prior to this relatively new legislation, the point system was capped at the SGEI rent limit, which is the maximum rent for social housing. In 2025, the SGEI-limit is EUR 900,07. The current limit is at 186 points, equivalent to EUR 1,184.82 in 2025. Private

landlords of rental properties and social housing corporations with properties up to 185 WWS points are obliged to comply with the maximum rent under the system. It should be noted that this rent ceiling is relatively high; social housing providers currently charge an average of 78% of the maximum permitted rent.

Following the revision of the SGEI exemption decision, a new category of affordable housing will be introduced, aligned with the definition of social housing. When implementing the revised EU legislation, the NL aims to maintain the current middle-income segment at the national legislative level. Additional legislation is considered to provide State aid for affordable housing for middle-income households, in line with the current middle segment in the NL.

\* In your view, should affordable housing SGEIs only be defined in specific areas experiencing housing shortages?

- ☐ Yes
- ☒ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

Current SGEI activities in social housing are taking place across the NL. In particular, new homes are being built in areas experiencing severe housing shortages. From 2015 to 2021, the number of homes in the private rental segment has increased from 415,000 to 648,000, which is a growth of 36%. Typically, an increase in supply leads to a decrease in price. In the NL, however, the rental sector for homes with a monthly rent above EUR 1000 grew by 135%. In 2016, 80% of advertised rental homes were affordable; by 2021, this figure had fallen to 50% (33% in the four largest cities). On average, rents in 2024 were on average 5.4% higher than in 2023. This is the largest rent increase since 1993, when rents rose at the same rate.

The previous question addressed the legislation introduced in 2024 that regulates middle-rent properties. Due to the housing value component that is part of the point valuation system, homes in the Randstad and other areas experiencing a significant housing shortage are more valuable. This encourages landlords to build rental properties, particularly in areas where there is a significant imbalance between supply and demand.

Although almost all SGEI activities in social and affordable housing take place in areas with a housing shortage (since the shortage is nationwide), the NL believes that it should be free to maintain national policy. SGEI activities in areas with a lesser shortage of housing can contribute to relocation and the provision of adequate housing. For example, housing for the elderly or care homes could be built, and large family homes could be rented out to families currently living in properties that are too small.

---

## Beneficiaries of affordable housing SGEIs

---

Affordable housing differs from social housing in terms of the population targeted. While affordable housing generally serves lower- to middle-income groups who face difficulties accessing market-rate housing, social housing is aimed at socially less advantaged groups with more acute socio-economic needs. In order to

ensure that affordable housing SGEIs effectively reach those in need and to minimise distortions to the private housing market, the following questions address the criteria that could be defined at the level of Member States to limit affordable housing SGEIs to a clear target group.

\* In your view, should affordable housing SGEIs include income limits (e.g. thresholds based on income deciles) for applicants to qualify as beneficiaries of affordable housing SGEIs?

- ☒ Yes
- ☐ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

The previous questions addressed the regulation of the middle rental segment in the NL from 2024 onwards. Based on the point system, rental properties that fall into the regulated middle segment are not permitted to charge a rent higher than the maximum appropriate for the property. These regulated middle rental homes, as well as social rental housing, will subsequently be allocated to households with an eligible income. In the NL, middle-income single-person households have an income ranging from EUR 49,669 to EUR 67,366, while middle-income multi-person households have an income ranging from EUR 54,847 to EUR 89,821 (price level 2025). Municipalities can use the housing permit to set allocation rules for the regulated medium-rent homes. This ensures that the properties are allocated to households with a middle income, and that the benefits of State aid are directed towards housing for income groups that require assistance to find affordable housing in relation to their income.

In your view, how should income limits be determined? Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

Although the previous question was answered in the affirmative, the NL considers that the determination of affordable housing income limits should be determined at the national level, rather than being defined as an additional condition in the SGEI at the EU level. There are major differences between Member States: for example, what constitutes a middle income in one Member State may constitute a high income in another. For this reason, it is not recommended that income limits be applied at EU level.

\* In your view, should affordable housing SGEIs contain mechanisms to ensure that income limits are consistently respected over time, so that changes in beneficiaries' income are adequately captured?

- ☒ Yes
- ☐ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

In the NL, landlords (including housing corporations) have the option, to apply an income-dependent rent increase to social housing. This ensures that tenants with high incomes pay a rent that is higher and more in line with the current house and household incomes. Whether to apply a regular or an income-dependent rent increase is at the landlord's discretion and is not obligatory. The NL also encourages landlords to establish policies that facilitate households changing property, ensuring that they have a house that suits their income and their family size, and optimising the efficient use of the housing stock.

The results of the 2024 Housing Survey NL (Woon-2024) were published in April 2025. These results show, among other things, that 238,900 tenants (out of a total of 3,247,000 tenants) have an income that is no longer appropriate for social housing. This number had been decreasing for years, but the lack of availability in affordable housing is reducing circulation. This emphasizes the need for sufficient available affordable housing for the middle segment, so that every household can live in a house that suits their income.

While the NL supports legislation and policies that ensure optimal utilization of the housing stock, it believes that this must be defined at the national and local levels.

\* In your view, should access to affordable housing SGEIs be excluded for persons that already (co-) own residential property or land suitable for building?

- ☐ Yes
- ☒ Yes, under some circumstances
- ☐ No
- ☐ I don't know

\* Please specify under which circumstances

Affordable housing will be offered to population groups that cannot afford adequate housing in their region at standard market rates. As such, we do not consider owner-occupiers to be part of this group. Therefore, we intend to restrict owner-occupiers' access to affordable housing as much as possible, in line with the current policy for social housing. However, proportionality should be taken into account when introducing these kinds of criteria, as they can lead to significant administrative burdens.

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

Please see: <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/01/05/kamerbrief-over-het-toewijzen-van-corporatiewoningen>

\* Would you consider justifiable to prioritise the allocation of affordable housing SGEIs to certain groups with essential societal roles?

- ☒ Yes
- ☐ No
- ☐ I don't know

\* Please provide examples of such societal roles

*500 character(s) maximum*

Many households with socially relevant jobs, such as teachers, nurses and police officers, find that their current home and/or place of residence is no longer suitable. These households often have a middle-income and it is convenient or necessary for them to live close to work. In the NL, certain professional groups can be given priority. As prioritization of certain groups may differ from region to region, we believe this decision should be made at a local level.

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*



## Prices for affordable housing SGEIs

In order to ensure that affordable housing SGEIs are truly accessible to those in need, setting price caps may be necessary to maintaining affordability. At the same time, introducing a minimum price level may also be justified to prevent excessive subsidies and ensure fair competition, which indirectly may also safeguard public budgets allocated to social housing. Against this background, the following questions explore appropriate pricing mechanisms that could be set for affordable housing SGEIs.

\* In your view, should affordable housing SGEIs envisage a maximum price for the renting or selling of housing?

- ☒ Yes  
☐ No  
☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

In the NL, social housing is subject to a maximum rental price. This forms the boundary between the regulated sector and the private rental sector. Certain rules apply to rental properties in the regulated segment. For instance, the rent cannot exceed the amount permitted by the point system for rental properties (also known as the housing rating system or WWS). In 2021, the Affordable Housing Programme announced a maximum price for regulation. To determine the exact level of the upper limit, the demand (need of middle-income households) and supply (the number of homes regulated at a given limit) were considered. The demand from middle-income earners fluctuates. It is important that the cap regulates enough homes to be effective, but not more than is necessary. If the limit is set too high, homes are unaffordable for some middle-income households are also regulated. Overall, it can be concluded that regulation at a higher upper limit is excessive.

The regulated segment consists of a low segment (housing for those on low incomes) and a middle segment (housing for those on middle incomes). The upper limit of the low-income segment is EUR 900,07 in 2025. The upper limit of the middle segment, as well as the liberalization limit, is EUR 1.184,82 in 2025.

The private rental sector contains independent properties with an initial rent above the liberalization limit at the time. It is not the case that the current rent of a property determines whether it is in the private or social rental sector. Landlords in the mid-market rental sector can include institutional investors (such as pension funds, insurance companies and investment firms), smaller commercial landlords and private individuals. Housing associations can also rent out housing above the liberalization limit without State aid. Under the new definition in the SGEI exemption decision, the maximum price for affordable housing would be in line with the Dutch liberalization limit.

\* In your view, should affordable housing SGEIs envisage a maximum price for the renting or selling of housing based on: [Multiple options possible]

- ☐ Household income  
☐ Market prices



- ☐ Costs incurred by housing providers (e.g. planning, construction, financing, managing costs)
- ☒ Other [please specify]
- ☐ I don't know

Please, specify

500 character(s) maximum

The maximum rent for each property is calculated using the WWS method. The scoring system takes into account the property's surface area, number of rooms, insulation, energy label, the presence of a balcony or garden, location and the 'WOZ'. The 'WOZ' is an approximate estimate of the property's value. It is also important to the NL that the applicant's household income matches the property's rental price. This means that the income should not be too high or too low.

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

2000 character(s) maximum

/

\* In your view, should pricing limits for the renting or selling of housing in the framework of affordable housing SGEIs take into account other housing costs, such as energy costs or the energy-performance of the building?

- ☐ Yes
- ☒ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

2000 character(s) maximum

As mentioned in response to the previous question, the maximum rent for housing is calculated using a point system. The energy label forms part of this calculation. The better the energy label, the more points the property receives and the higher the maximum rent can be. Properties with the three worst labels (E- F and G), receive minus points. This encourages landlords and social housing corporations to make their property more sustainable, enabling them to charge a higher rent. Consideration of energy performance should take place at a national level, rather than in the SGEI decision.

\* In your view, should a minimum price for affordable housing SGEIs be introduced to ensure that the SGEI compensation does not exceed what is necessary to ensure affordability for the beneficiary, thereby reducing market distortions, and at the same time provide financial sustainability for the housing provider?

- ☒ Yes
- ☐ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

2000 character(s) maximum

In the NL, the minimum price for affordable housing would be the maximum price for social housing. Please see the response to question 7 for an explanation of the low-regulated segment and regulated middle segment.

In your view, how should the minimum price for selling or renting be determined? Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

In the NL, the minimum price of affordable housing is the upper limit of the low segment. Although the NL has a point system for calculating maximum rents, we do not intend to use this system to calculate minimum rents. In that case, properties, especially new builds, may have a rent that is higher than what is considered affordable for middle-income households. In many situations, the contracted rent is (far) below the maximum rent limit to ensure rent affordability for households. The NL considers that a minimum price for affordable housing should be set at a national level and should not be determined at EU level.

Do you have other suggestions on principles that could ensure the financial affordability of housing, while preventing excessive market distortions with prices that are too low compared to market prices? Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

/

---

## Minimum requirements for affordable housing SGEIs

---

In line with the definition of affordable housing proposed above, it seems essential that affordable housing meets basic standards of quality, safety, and energy performance. The following questions therefore address the minimum requirements that should be set for subsidised affordable housing SGEIs.

\* In your view, should minimum quality standards be set at Member State, regional and/or local level for affordable housing SGEIs (e.g. minimum surface area of the dwelling, heating and cooling, ventilation, energy infrastructure, sanitary facilities and water supply, stability of the building construction and fire safety, broadband readiness of the building)?

- ☐ Yes  
☒ No  
☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

Minimum quality standards should be set for all housing in general, including SGEI housing. In the NL, these standard are set out in the Housing Act ('Woningwet') and the Building Works Environment Decree ('Besluit bouwwerken leefomgeving'). The Energy Performance of Buildings Directive (EPBD IV) requires EU Member States to improve the energy performance of buildings. Article 9 in particular is likely to set national targets and measures to promote the sustainability of the entire existing housing stock, focusing on homes with the lowest energy performance. At the national level, this will result in the phase-out of the low energy labels (labels E, F and G). Minimum energy performance requirements for rental housing and utility buildings, such as schools and offices, will also be adjusted. By 1 January 2029, owners of rental properties with an energy label of E, F or G must ensure that their buildings are at least energy label D. Together, the EPBD IV Directive and the adjustment for the energy performance, will provide a framework for addressing the sustainability of existing housing. This framework covers all housing, not just SGEI. It is an important step towards meeting climate goals and reducing buildings' energy demand.

It is generally considered that, in order to ensure long-term affordability, subsidised housing should remain affordable for a sufficiently long period. In this context, please consider the following questions:

\* Rental housing: In your view, should affordable housing providers that receive SGEI compensation be required to offer the subsidised rental housing at affordable prices for a minimum duration?

- ☒ Yes, but I don't know an appropriate minimum duration
- ☐ Yes, for a minimum of 5 years
- ☐ Yes, for a minimum of 10 years
- ☐ Yes, for a minimum of 20 years
- ☐ Yes, for a minimum of 30 years or more
- ☐ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

The NL is investigating a similar form of State aid for the middle rental sector, which includes guaranteed loans for housing corporations. These loans carry favorable interest rates and terms of up to 50 years. If a housing corporation wishes to rent out SGEI housing at a price exceeding the permitted maximum according to the SGEI segment, they require authorization from the Housing Corporation Authority. This ensures that state-funded housing is intended for households with low (or, following the revision of the SGEI Decision, middle) incomes. In addition, efforts are also being made in the private sector to preserve social renting. Legislation is currently being drafted (the Public Housing Control Act) which will introduce a 25-year tenancy period for new social housing constructions by parties other than housing corporations.

\* In your view, should a minimum duration for affordable rental housing be defined at EU level?

- ☐ Yes, it should be defined at EU level
- ☒ No, it should not be defined at EU level
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

According to the NL a minimum should be set, but the EU Member States should have discretion over the minimum duration for affordable rental housing, as follows from Article 106 (1) TFEU.

\* Home ownership: In your view, should it be required that, once purchased, subsidised housing cannot be resold at market price/at a price beyond a certain limit or to households not meeting some eligibility requirements for a minimum duration in order to prevent its use for speculative purposes?

- ☒ Yes, but I don't know an appropriate minimum duration
- ☐ Yes, for a minimum of 5 years
- ☐ Yes, for a minimum of 10 years
- ☐ Yes, for a minimum of 20 years
- ☐ Yes, for a minimum of 30 years or more
- ☐ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

2000 character(s) maximum

The preferred answer from the NL would be 'yes, for a maximum of 10 years. It is important to protect subsidized owner-occupied homes against speculation. It is undesirable for the entire subsidy to benefit only the first buyer. However, achieving this requires a careful balancing act between safeguarding public investment and intervening in property rights. Therefore, the newly proposed "Regulation of Public Housing Act (Wet regie op de volkshuisvesting) stipulates that affordable owner-occupied homes - defined as homes with a purchase price not exceeding the indexed upper limit as referred to in Article 1, paragraph 3, of the Housing Act 2014 - must have a maintenance period of at least one year and no more than ten years after being put into use. This must align with the definition of an owner-occupied home under the owner-occupied home tax regime.

\* In your view, should a minimum duration for affordable owner-occupied housing be defined at EU level?

- ☐ Yes, it should be defined at EU level
- ☒ No, it should not be defined at EU level
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

2000 character(s) maximum

According to the NL the EU Member States should have discretion to decide on the minimum duration for affordable owner-occupied housing.

---

## Tenure type for affordable housing SGEIs

---

The choice of tenure type – rental housing or homeownership – can significantly impact the accessibility and long-term sustainability of affordable housing SGEIs. Rental housing is often more accessible, requiring less upfront investment, and can better adapt to changing economic and labour market conditions. On the other hand, homeownership provides long-term security and the potential for building equity, but it requires a higher initial investment and exposes individuals to financial risks, such as market downturns or foreclosure. The following question explores how these tenure types should be approached in the context of affordable housing SGEIs.

\* In your view, should affordable housing SGEIs prioritise certain tenure types? If so, which of the following should be favoured?

- ☐ Yes, and rental housing prioritised
- ☐ Yes, and homeownership prioritised
- ☒ No specific priority can be defined a priori
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

2000 character(s) maximum

The choice of tenure type for which affordable housing should be prioritized depends on the EU Member State and cannot be determined at EU level. In the NL, for example, there is a particular shortage of mid-rent

housing, and the government is willing to grant State aid for this. As well as the shortage of affordable middle-rent housing, there is also a shortage of affordable owner-occupied housing for low and middle incomes in the big cities. EU Member States with a high diversity of housing problems and needs should be allowed to make of tenure type choices at the national level.

## Renovation or new construction for affordable housing SGEIs

Renovating existing buildings plays a crucial role in improving their habitability and energy efficiency. However, if not anchored in appropriate regulatory frameworks, it can at times result in unintended increases in housing prices. On the other hand, relying solely on new construction may not be enough to address current housing needs. The following question explores how affordable housing SGEIs could be best allocated between renovation of existing buildings and construction of new buildings.

\* In your view,

- ☐ Affordable housing SGEIs should prioritise renovation of existing buildings
- ☐ Affordable housing SGEIs should prioritise construction of new buildings
- ☒ No specific priority can be defined a priori
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

The needs and priorities regarding the construction of new buildings and/or the sustainability of existing buildings vary from one EU Member State to another. The form of State aid may also vary between EU Member States and also between projects (e.g. incentives for new construction and other aid instruments for existing construction). This is interpreted at the national level, and this flexibility is important. Whether the SGEI should be used for new construction or for making existing buildings energy efficient should not be decided at the EU level.

## Types of operators eligible for subsidised affordable housing

Housing systems in Member States typically fall into two categories: 'open' and 'closed' systems. In an 'open' system, funding is available to any housing provider meeting certain criteria, either through open access for all or a competitive tender process. A 'closed' system restricts funding to a selected group of entities, typically publicly owned or non-profit housing organisations that reinvest any profits back into the social housing sector. While there are reasons why the closed system for social housing can be functional, extending it to affordable housing could exclude private operators and significantly alter market dynamics. The following questions explore how these systems should be approached in the context of affordable housing SGEIs.

\* In your view, should the entrustment of affordable housing SGEIs be...

- ☐ Open to all housing providers (i.e. an "open" system)
- ☒ Restricted to selected entities such as public or non-profit providers (i.e. a "closed" system)
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

2000 character(s) maximum

In the NL, social renting is an open system. Secured loans, a form of State aid, are only available to authorized institutions (housing corporations). Any association or foundation can apply to be admitted to the system. The Housing Corporation Authority (Aw) can grant full legal capacity to associations and foundations under national law, thereby admitting them as authorized institutions.. A foundation or association working in the field of public housing can be admitted if it meets a number of conditions. These admitted institutions, or housing corporations, are responsible for building, renting and managing affordable rental housing, particularly for households with lower- and middle-incomes. Research published by Aedes and produced by Ortec Finance from March 2024 showed that if State aid through guaranteed loans is allowed for middle rental as well, housing corporations could increase to 67,400 middle rental homes by 2030 (50.000 middle rental homes as agreed in the National Performance Agreements of 2022-2024) instead of 26,000 middle rental homes with the current funding.

Because of the public, social legislative task of the housing corporations, the NL considers that the affordable housing SGEI should be entrusted to selected entities such as public or non-profit providers.

## Amount of compensation limit for affordable housing SGEIs

Member States can currently finance social housing measures under the SGEI Decision without any compensation limit (i.e., maximum amount of State aid that can be granted by a Member State for the provision of an SGEI), as long as a housing support measure meets the definition of social housing laid down in the SGEI Decision. The planned addition of a new affordable housing category to the SGEI Decision poses the question of whether the same approach should be followed for affordable housing measures and result in Member States being able to support affordable housing under similarly flexible conditions. However, affordable housing is much closer to market than social housing and the risk of market distortions is therefore higher. State aid rules could therefore impose a maximum compensation limit for affordable housing measures.

\* In your view, should there be a maximum compensation amount for affordable housing SGEIs? And if so, what should the maximum compensation apply to?

- ☐ Yes, and it should apply to maximum amount per project
- ☐ Yes, and it should apply to maximum amount per year
- ☐ Yes, and it should apply to maximum amount per square metre
- ☐ Yes, but I don't know how it should apply
- ☒ No, there should not be a maximum compensation
- ☐ I don't know
- ☐ Other [please specify]

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

2000 character(s) maximum

According to the NL, the compensation would be based societal need, and the amount of State aid is already restricted by the principle that overcompensation is not allowed. Therefore, the additional category for affordable housing would have to be applied in the same way as social housing.

\* For Member States: Are there any planned or existing affordable housing measures in your Member State?

- ☒ Yes  
☐ No  
☐ I don't know

For Member States: If so, what is the maximum annual budget for the measure with the biggest budget?  
Please provide a budget figure and a brief description of the measure.

*2000 character(s) maximum*

As the EC is aware, the 'Dreven, garden, Zichten' project is an example of the mixed housing project with social and affordable housing. The NL is currently working on incorporating affordable housing into national legislation.

## Other changes to the SGEI rules

In addition to changes related to social and affordable housing, the Commission envisages the possibility to make additional changes to the SGEI Decision to ensure that the rules are up to date.

\* Article 2(1)(a) of the SGEI Decision limits compensation for the provision of services of general economic interest in areas other than transport and transport infrastructure to an annual amount of EUR 15 million. SGEIs in sectors that are not covered by Article 2(1)(b) to Article 2(1)(e) are therefore subject to this limit. The Commission considers that it could be appropriate to also update the SGEI Decision threshold. Should the EUR 15 million limit be increased?

- ☒ Yes, the limit should be increased in line with inflation  
☐ Yes, the limit should be increased but not in line with inflation [please, specify]  
☐ No  
☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

According to the NL, an increase in the annual amount of EUR 15 million in line with inflation is reasonable. For affordable housing, the NL is aiming for an addition in Article 2(1)(c), which currently covers social housing.

\* Article 9 of the SGEI Decision imposes a biennial reporting obligation on Member States. The reports include a detailed overview of the application of the SGEI Decision for the different categories of services referred to in Article 2(1) of the SGEI Decision. Some Member States have raised concerns that the administrative burden of the reporting obligation is excessive. Should the reporting obligations be modified?

- ☐ The reporting obligations should be removed  
☒ The reporting obligations should be simplified  
☐ The reporting obligations should not be modified

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*



In terms of reducing administrative burdens, the NL considers it important to examine whether the SGEI reporting obligations could be simplified or even removed entirely. For instance, the NL is questioning whether a national publication of the SGEI would suffice.

The current reporting obligations under the SGEI Exemption Decision – in addition to the annual State aid reporting for the State Aid Scoreboard - place a significant administrative burden on local and regional governments. Simplifying the reporting process would enable these governments to focus more effectively on their core mission of providing affordable, high-quality services to citizens, particularly in areas such as social services and housing. Moreover, smaller-scale SGEI measures often involve limited financial amounts and pose minimal risk of market distortion, meaning the existing level of scrutiny may be disproportionate to the potential impact.

A more streamlined and proportionate reporting framework would improve efficiency, reduce unnecessary bureaucracy, and increase compliance by clarifying and simplifying the rules. It would also promote better alignment between EU policy goals and local implementation, thereby strengthening the overall legitimacy and effectiveness of State aid control in the area of public services.

\* Article 4(f) of the SGEI Decision stipulates that an act (or acts) used by Member States to entrust an SGEI to an undertaking (so-called “entrustment act”) shall include a reference to the SGEI Decision. This requirement aims at ensuring transparency but may result in measures meeting all other compatibility criteria under the SGEI Decision being incompatible because the SGEI Decision is not mentioned in the entrustment act. In your view, should this requirement be removed from the SGEI Decision?

- ☐ Yes
- ☒ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

Referring to the SGEI Decision is important for ensuring transparency and providing an overview of measures based on it. At the same time, we would not object to deleting the requirement.

\* In March 2025, the Commission proposed the Critical Medicines Act (CMA) which aims at improving the availability, supply and production of critical medicines within the EU. In addition to the CMA, the Commission published the Guidance on the application of State aid rules in the context of the Critical Medicines Act, which aims at facilitating the funding of strategic projects ensuring the security of supply of critical medicines. This Guidance promotes the use of SGEI rules to support critical medicines. Pursuant to section IV.A of the Guidance, funding measures that constitute State aid can be granted by Member States for the implementation of strategic projects, ensuring the security of supply of critical medicines in the EU, under the SGEI Decision. In your view, should the SGEI Decision be amended to facilitate financing for the implementation of such projects, as defined in the Critical Medicines Act?

- ☐ Yes
- ☒ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

From the Guidance on the application of State aid rules in the context of the CMA it seems that there are already possibilities of financing the production of critical medicines to increase the manufacturing capacity for a critical medicine, under the SGEI Decision. The NL would appreciate to receive further information on the types of activities, such as CAPEX and OPEX of production, that can be financed under the different State aid frameworks, including the SGEI.

\* Are there any other elements of the SGEI Decision that should be modified or updated?

- ☐ Yes [please, specify]
- ☒ No
- ☐ I don't know

Please substantiate your reply and submit any data/information/study etc. you may have in this regard.

*2000 character(s) maximum*

/

## Contact

[Contact Form](#)