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# Are housing allowances maintained in the event of unpaid rents?

Verified 01 January 2022 - Legal and Administrative Information Directorate (Prime Minister)

In the event of unpaid rents, housing aid may be maintained to alleviate a rent debt and avoid eviction.

## The allowance shall be paid to the lessor

### What's that about?

There is an unpaid rent when the tenant has a debt of at least 2 times the net monthly rent and expenses.

The net monthly rent is the rent in the lease, net of the amount of housing assistance.

### Reporting

The landlord must report the unpaid rent to the Caf (or MSA) within 2 months of its constitution, unless the amount due has been paid in full in the meantime. Reporting should preferably be by registered mail with notification of receipt.

### Warning

The lessor is liable to a fine of **€6,856.00** if he does not report the unpaid rent to the Caf (or MSA).

The Caf (or MSA) may also self-seize if it is aware of an unpaid rent that has not been reported to it.

### Procedure

Once the lessor has reported the unpaid amount, the Caf (or MSA) asks the lessor to set up a **clearance plan** debt. This plan is a schedule of the repayment of the debt that the lessor establishes with the tenant.

If the lessor fails to comply with its obligation to put in place a clearance plan, the Caf (or MSA) shall  
Solidarity Fund for Housing (FSL) ([https://www.service-public.fr/particuliers/vosdroits/F1334?](https://www.service-public.fr/particuliers/vosdroits/F1334?lang=en)  
lang=en)

so he can **clearance plan** debt.

### FYI

Where the unpaid amount is less than or equal to **€100**, it is the Caf (or MSA) that proposes a clearance plan (not the lessor) with the agreement of the tenant and the lessor. The duration of the clearance plan shall be freely determined by the Caf (or MSA) and shall not exceed 3 years.

## In case of clearance plan of the lessor

The debt clearance plan must be implemented within a maximum period of 6 months.

This plan is a document that sets out the conditions for the reimbursement of unpaid rents (amount, time limit...).

The payment of housing aid shall then be maintained if the following 2 conditions are met:

The clearance plan is respected and accepted by the Caf (or MSA)

The tenant has resumed payment of the rent in progress

Without receipt of the clearance plan within and after thenotice from the lessor, the Caf (or MSA) must enter the FSL. The FSL then has 3 months to draw up a clearance plan.

If the 3-month deadline is not met by the FSL, the Caf (or the MSA) itself sets up a clearance plan.

## In case of FSL clearance plan

The Caf (or the MSA) can directly refer the matter to the FSL and ask it to make its clearance plan known within 6 months.

Upon receipt of the clearance plan, the Caf (or MSA) maintains the payment of the housing aid on condition that the tenant resumes the payment of the current rent.

In the event of a poor implementation of the current clearance or non-payment of rent, the Caf (or MSA) shall suspend the payment of the housing aid.

Where the FSL does not make its clearance plan known in time, the Caf (or the MSA) challenge the tenant to resume payment of the rent in progress. The tenant must also repay the landlord 1/36 every month<sup>e</sup> of its debt for 3 years from the month following the formal notice.

Without resumption of payment or in case of poor execution of the plan, the Caf (or MSA) shall suspend the payment of the housing aid.

## It goes to the tenant

### What's that about?

There is an unpaid rent when the tenant has a debt of at least 2 times the gross monthly rent and expenses.

The gross monthly rent is the rent shown in the lease.

### Reporting

The landlord must report the unpaid rent to the Caf (or MSA) within 2 months of its constitution, unless the amount due has been paid in full in the meantime. Reporting should preferably be by registered mail with notification of receipt.

#### Warning

The lessor is liable to a fine of **€6,856.00** failing to report the outstanding rent to the Caf (or MSA).

The Caf (or MSA) may also self-seize if it is aware of an unpaid rent that has not been reported to it. It may suspend or maintain the payment of housing aid.

### Procedure

Once the lessor has reported the unpaid amount, the Caf (or MSA) asks the lessor to set up a **clearance plan** debt. This plan is a schedule of the repayment of the debt that the lessor establishes with the tenant.

If the lessor fails to comply with its obligation to put in place a clearance plan, the Caf (or MSA) shall  
Solidarity Fund for Housing (FSL) (<https://www.service-public.fr/particuliers/vosdroits/F1334?lang=en>)

so that he can make a plan to clear the debt.

#### FYI

Where the unpaid amount is less than or equal to **€100**, it is the Caf (or MSA) that proposes a clearance plan (not the lessor) with the agreement of the tenant and the lessor. The duration of the clearance plan shall be freely determined by the Caf (or MSA) and shall not exceed 3 years.

The Caf (or MSA) must propose to the landlord to obtain the third-party payment (in place of the tenant). The lessor has 2 months to respond. Beyond that, his silence is worth refusing.

### In case of clearance plan of the lessor

The Caf (or MSA) may request the lessor to draw up a debt clearance plan within a maximum period of 6 months (2 months if the lessor has refused the third-party payer).

This plan is a document that sets out the conditions for the reimbursement of unpaid rents (amount, time limit...).

The payment of housing aid shall then be maintained if the following 2 conditions are met:

The clearance plan shall be complied with and approved by the Caf (or MSA)

The tenant has resumed payment of the rent in progress

Without receipt of the clearance plan within and after thenotice from the lessor, the Caf (or MSA) seizes the FSL. The FSL then has 3 months to draw up a clearance plan.

If the 3-month deadline is not met by the FSL, the Caf (or the MSA) itself sets up a clearance plan.

## In case of FSL clearance plan

The Caf (or the MSA) can directly refer the matter to the FSL and ask it to make its clearance plan known within 6 months.

Upon receipt of the clearance plan, the Caf (or MSA) maintains the payment of the housing aid on condition that the tenant resumes the payment of the current rent.

In the event of a poor implementation of the current clearance or non-payment of rent, the Caf (or MSA) shall suspend the payment of the housing aid.

Where the FSL does not make its clearance plan known in time, the Caf (or the MSA) challenge the tenant to resume payment of the rent in progress. The tenant must also repay the landlord 1/36 every month<sup>e</sup> of its debt for 3 years from the month following the formal notice.

Without resumption of payment or in case of poor execution of the plan, the Caf (or MSA) shall suspend the payment of the housing aid.

### Statute and miscellaneous references

Construction and Housing Code: items R824-1 to R824-3 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878879&cidTexte=LEGITEXT000006074096)

- [idSectionTA=LEGISCTA000038878879&cidTexte=LEGITEXT000006074096](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878879&cidTexte=LEGITEXT000006074096)  
Unpaid Threshold

Construction and Housing Code: items R824-4 to R824-10 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878869&cidTexte=LEGITEXT000006074096)

- [idSectionTA=LEGISCTA000038878869&cidTexte=LEGITEXT000006074096](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878869&cidTexte=LEGITEXT000006074096)  
Clearance plan

Construction and Housing Code: items R824-11 to R824-13 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878853&cidTexte=LEGITEXT000006074096)

- [idSectionTA=LEGISCTA000038878853&cidTexte=LEGITEXT000006074096](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878853&cidTexte=LEGITEXT000006074096)  
Referral of the Solidarity Fund for Housing

Construction and Housing Code: items R824-20 to R824-22 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878830&cidTexte=LEGITEXT000006074096)

- [idSectionTA=LEGISCTA000038878830&cidTexte=LEGITEXT000006074096](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878830&cidTexte=LEGITEXT000006074096)  
Grant to Lessor

Construction and Housing Code: items R824-27 to R824-30 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878812&cidTexte=LEGITEXT000006074096)

- [idSectionTA=LEGISCTA000038878812&cidTexte=LEGITEXT000006074096](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000038878812&cidTexte=LEGITEXT000006074096)  
Whether or not personal housing assistance will continue

### FAQ

What should I do in case of difficulties to pay rent? ([https://www.service-public.fr/particuliers/vosdroits/F1008?](https://www.service-public.fr/particuliers/vosdroits/F1008?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/F1008?lang=en)

What assistance is provided by the Solidarity Fund for Housing (FSL)? ([https://www.service-public.fr/particuliers/vosdroits/F1334?](https://www.service-public.fr/particuliers/vosdroits/F1334?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/F1334?lang=en)

### Additional topics

Custom Housing Assistance (APL) ([https://www.service-public.fr/particuliers/vosdroits/F12006?](https://www.service-public.fr/particuliers/vosdroits/F12006?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/F12006?lang=en)  
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Family Housing Allowance ([https://www.service-public.fr/particuliers/vosdroits/F13132?](https://www.service-public.fr/particuliers/vosdroits/F13132?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/F13132?lang=en)  
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Social housing allowance (SLA) ([https://www.service-public.fr/particuliers/vosdroits/F1280?](https://www.service-public.fr/particuliers/vosdroits/F1280?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/F1280?lang=en)  
Service-Public.fr

Unpaid rent and eviction of tenant ([https://www.service-public.fr/particuliers/vosdroits/F31272?](https://www.service-public.fr/particuliers/vosdroits/F31272?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/F31272?lang=en)  
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