



Ufficio Stampa della Corte costituzionale

Comunicato del 28 maggio 2021

PUBLIC RESIDENTIAL HOUSING: PREVENTING SELF-EMPLOYED WORKERS' FROM QUALIFYING FOR REDUCED RENTS FOR LOW-INCOME FAMILIES IS DISCRIMINATORY

It is unreasonable not to allow families whose income originates from self-employment to qualify for lower rents for public residential housing.

This ruling was issued by the Constitutional Court in [judgment no. 112](#) filed today (author Emanuela Navarretta). In this judgment, the Court declared unconstitutional Lombardy Region Law no. 27 of 4 December 2009, which provides for reduced rents only for tenants whose income originates from pensions, employment or equivalent sources. In view of the purpose of the legislation, which is to guarantee the inviolable right to housing to those experiencing severe financial hardship, the Court held that there was no reasonable justification for this difference in treatment.

In particular, the Court held that the different tax regime applicable to different types of income did not provide a reasonable justification for the discrimination. It also held that the difference in treatment could not be justified with reference to the long-standing contribution to public residential housing by “Gescal” (workers’ housing scheme) funds established from contributions paid by employee workers.

Owing to the need to protect the inviolable right to a home and to respect work in all of its forms, the principle of equality must be implemented to the full. Hence, the same parameters for calculating rents must be applied to all tenants experiencing financial hardship.

Roma, 28 maggio 2021