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**HOUSING POLICY OF NON-
BOLSHEVIK GOVERNMENTS
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Housing policy of non-bolshevik governments during the Russian Civil war[☆]

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Abstract

This paper analyzes the governmental regulation of the rental housing market in the states that arose on the ruins of the Russian Empire during the Russian Civil war in 1918–1922. It examines and compares three major tools of the housing policy of those times: rent control, protection of tenants from eviction, and housing rationing. It shows evolution and continuity of the housing legislation of the non-Bolshevik governments and its relationship with the housing policies of Bolsheviks.

Key words: Russia; Russian Civil war; non-bolshevik governments; rental housing; housing policy.

JEL classification: N44; O18; R38.

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1. Introduction

The industrial revolution in 19th century led to a breakneck urbanization. The rise of the urban population fed by the immigration from the rural areas engendered an housing problem, which means a shortage of affordable and decent housing, especially in the low-price segment. Growing residential construction and rising quality of housing were not able to catch up with the increase in the urban population. As a result, the housing issue remained a chronically unsolved one.

In addition, particularly, in the big cities, the expansion of multi-family houses in the absence of a condominium-type property led to a large numerical superiority of tenants with respect to the landlords. According to the St. Petersburg 1900 housing census, the proportion of dwellings occupied by their owners was just about 4%. The remaining 96% of dwellings were, thus, tenant occupied.

The share of housing expenses in the total private household expenditure was relatively high. For example, according to the surveys of the workers' budgets, it was 9–15% in St. Petersburg in 1908, 10–20% in Moscow in 1914 ([Kir'yanov 2001](#)), and up to 22% in Kiev in 1913 ([Naumov 1914](#)). Therefore, each rent increase had painful repercussions on the financial situation of the poorest classes.

Nevertheless, prior to the First World War, the state practically did not intervene in the relations between the parties of the rental housing market (tenants and landlords). At the municipal level, there were quality and quantity standards for housing. However, in most cases they were violated. A substantial part of the city dwellers lingered in the awfully crowded and unhealthy conditions, while paying a relatively high rent per unit of the housing space (see, for example, [Krujnov 2014](#)).

The entry of the Russian Empire into World War I in August 1914, first led to a large outflow of the males from the cities. While during the peace time the size of the army was 1.4 million persons, by the end of 1914, it increased to 6.5 million ([Kondrat'iev 1991](#), p. 158). The result was a significant decrease in the housing demand in the urban areas.

However, very soon opposite tendencies started to work, which led to an excess demand for housing. As shown in [Kholodilin and Gerasimov \(2017\)](#), the main reasons for an aggravation of the housing issue in Russia were:

- Confiscations of any inhabitable premises for the needs of the army.
- A virtual stop in the housing construction that made impossible the expansion and even preservation of the housing stock.
- Mass flows of refugees who were looking for shelter in the urban settlements. For instance, according to the estimates in [Mihaliov and P'yankov \(2015\)](#), the total number of refugees in Russia could be between 5 and 15 million.
- Evacuation of various administrative bodies with employees and their families from the territories occupied by the enemy forces and neighboring to the front.

A full fledged housing crisis resulted. The housing rents went sharply up. This was happening at the background of an accelerating inflation, for the government procured means for its war efforts by taking credits and printing money. As a consequence, a large part of population was hit, being not necessarily poor and illiterate. The print media were heating the minds by turning the society against the landlords. A deterioration of the situation in the housing market forced the local civil and military authorities to issue the ordinances that for the first time in Russian history introduced the protection of tenants first from the rent increases and later from eviction. In addition, some elements of housing rationing were introduced, most frequently in form of the obligatory registration of all available and vacant housing by the landlords in the official bodies. This process gained momentum in the summer of 1915, when within one month 20 governorates¹ and three military districts (each encompassing several governorates) introduced legal limitation in the rental housing market. By the August of 1916, such restrictions were active in at least 88 governorates out of 98 that on the eve of WWI were forming part of the Russian Empire.

After many ordinances issued at the local level, in the fall of 1916, the central government finally reacted to the growing housing problem. On September 9 (August 27, according to the Julian calendar that was used in Russia at that time), 1916, the Russian government issued a legal act “On prohibition to increase the housing rents”. It explicitly specified a list

¹A governorate, or a guberniya, was a major administrative subdivision of the Russian Empire and Soviet Russia until 1929.

of settlements where the rents were subject to controls. The 511 settlements on the list had the total population of 18.6 million (as of 1910) and accounted for more than 10% of the population of the whole empire. The regulations focused on dwellings only, excluding the expensive apartments. The rent was frozen at the pre-war level (as of August 14 (1), 1914) plus 10%. Moreover, a protection of tenants from eviction was introduced that implied an automatic prolongation of rental contracts and specification of reasons for which tenants could be evicted by the landlords.

One year later, on August 18 (5), 1917, the Russian Provisional government issued an update of the law “On establishing the maximum rents for apartments and other premises”. It took into account the experience of application of the 1916 law and represented a much more thorough and elaborate regulation, see Table 1. The 1917 decree became a model for the subsequent “rent acts” that were issued until 1922 on the territory of the former Russian Empire.

The breakdown of the Empire that began already in 1917 led to an emergence of multiple states and quasi-states on its ruins. All these state-like entities experienced a further aggravation of the housing crisis. This was brought about by a complete halt of residential construction and refurbishment, destruction of housing due to the military operations, and an inflow of the refugees from the territories under Bolsheviks. Therefore, many of the newly created states began the lawmaking in the area of housing. Thus, the legal acts that restrained the level of rents and protected the tenants from eviction were introduced in 1918 in the Province of the Don Cossack Host, in Crimea, and the Ukrainian State; in 1919 in Siberia, on the territories controlled by Armed Forces of South Russia, and Estonia; in 1920 in Azerbaijan; and in 1921 in the Far Eastern Republic.

Except for the housing policy in the Ukrainian state that was considered in [Gerasimov \(2011\)](#) and in a particularly detailed way in [Kholodilin and Gerasimov \(2017\)](#), the governmental regulation of the rental housing market during the Russian Civil war remains an absolutely unexplored area. Therefore, the aim of this study is to systematically analyze the housing legislation of the non-Bolshevik governments that emerged on the territory of the former Russian Empire after the October Revolution. Chronologically, it covers the period of the Russian Civil war 1918–1922. The remaining literature is concentrates exclusively on the Bolshevik policies. Thus, [Kholodilin and Meerovich \(2016\)](#) compare the housing policies of Russia and Germany

between the two world wars. They also briefly consider the emergence of rent control and tenant protection during World War I. Mark Meerovich in a series of works ([Meerovich 2003, 2004, 2008](#)) examines the housing policies in Soviet Russia prior to World War II. However, he completely ignores the measures rent control, focusing mainly on the evictions and on the housing rationing. [Kirillova \(2016\)](#) also analyzes the Soviet housing policies during the New Economic Policy period using the case of Petrograd/Leningrad. Her focus is on the property control and suppression of the private housing market. Another strand of the literature concentrates on the housing issue during the pre-WWII period in the whole country ([Orlov 2015](#)) or in individual cities ([Petrakov 2016, Plehanova 2011, Sokova 2013](#)).

The actuality of this topic is related to the fact that the governmental regulation of the rental housing markets continues to be an actively used policy tool in many countries. In some countries, it was preserved, although in a modified form, from WWI times, whereas in other countries it emerges from scratch and disappears according to the aggravation and alleviation of the housing crises. The crises can have various reasons. Above all, they are related to the positive demand shocks (mass immigration) and negative supply shocks (destruction of the housing stock due to natural catastrophes or military conflicts). Even a cessation of residential construction for several years can lead to an housing crisis, as the case of New York in 1920 exemplifies ([International Labour Office 1925](#)).

In addition, the “housing issue” that during World War I and the Russian Civil war had transformed into a “housing crisis” became even more acute during the first decades of the Soviet government. Only mass residential construction that was initiated in the late 1950s permitted to a certain extent to alleviate it. Nevertheless, even nowadays the “housing issue” is troubling the life of the Russian citizens. The housing availability (living space per head) in Russia is two times smaller than in the industrial countries of Europe and almost three times smaller than in the USA, while housing affordability (the ratio of the incomes of an average household to the income it must have to purchase a standard dwelling using a mortgage loan provided at standard conditions) is four times lower than in the USA ([Gusev 2008](#)). According to the surveys of the Russian Public Opinion Search Center, high prices for the housing services and utilities and an impossibility to purchase housing belong to the list of the most important

problems of Russian citizens at the national level.²

2. Governmental housing policy

The governmental regulation of the rental housing market takes different forms. It can be classified in the restrictive and stimulating measures. The former include rent control, constraints on the possibilities of evicting tenants, standards of quantity and quality of housing, city-planning guidelines, and taxation rules. The latter include the provision of social housing and housing allowances as well as stimulation of the residential construction.

In this paper, we focus on three tools of the restrictive housing policy, which started to be actively employed during World War I and immediately afterward: 1) rent control, 2) protection of tenants from eviction, and 3) housing rationing.

Rent control implies capping of the rent increases, which in its oldest and extreme form is equivalent to freezing rents. Typically, this policy can be described as a set of the following rules:

- setting the rent in the newly concluded contracts (either for the very first time for a newly built or rented out dwelling or after the previous contract is over) with new tenants; and
- updating the rent level within the existing contracts with the sitting tenants.

Protection of tenants from eviction implies protection of the tenants from being evicted from their dwellings, except for several more or less clearly articulated cases. It consists of the following components:

- automatic prolongation of rental contracts with sitting tenants;
- prohibition for landlords to abrogate the rental contracts with tenants, except for a number of more or less clearly identified reasons (for example, non-payment or delayed payment of rent, an urgent and provable need of landlord or members of his family for a tenant-occupied dwelling that is located in the landlord's house, negligent handling of dwelling by the tenants, or unacceptable behavior of the tenant with respect to the landlord and other tenants).

²See <https://wciom.ru/index.php?id=236&uid=115901>.

Housing rationing means imposing limitations on the use of the available housing stock, such as:

- registration of the housing and tenants by creating the lists of available and becoming vacant dwellings as well as waiting lists of the would-be tenants to occupy these premises;
- preservation of housing by prohibiting to demolish or misuse it, for example, by using it as an office or a work shop;
- redistribution of the housing by the authorities by putting new tenants in the unused or underused housing;
- limitation of the freedom of movement of persons by creating obstacles to move into areas with an acute shortage of housing and emptying such areas of the persons that are considered to be less useful by displacing them into the areas with an excess housing supply.

3. Housing policy during the Russian Civil war

In this section, we will examine and compare the housing legislation of the non-Bolshevik governments on the territory of the former Russian Empire. The opposite side of the breakdown of the Empire was a creation of multiple regional governments, which were typically unstable, could hardly control the situation at the local level, and had diffuse and mobile boundaries. On the territory of the modern Russian Federation, apart from a host of the smaller local entities, the following state-like entities emerged: the Province of the Don Cossack Host (1917, 1918–1920), the Armed Forces of South Russia (AFSR, 1919–1920), the Provisional government of the Northern region (1918–1920), the Committee of Members of the Constituent Assembly (Cochuch, 1918), Crimean Regional Government (1918–1919), the Provisional government of Siberia (1918–1920), and the Far Eastern Republic (FER, 1920–1922). In addition, national states were created: Democratic Republic of Azerbaijan (1918–1920), Armenian Republic (1918–1920), Estonian Republic (1918–1940), Democratic Republic of Georgia (1918–1921), Latvian Republic (1918–1940), Lithuanian Republic (1918–1940), Makhnovia (1919–1921), the Ukrainian State (1918), and Ukrainian People’s Republic (1917–1918, 1918–1921).

Not all these governments had their own housing legislation. In part, it can be explained by their short duration. In many cases, the “rent act” of 1917 was kept in force. It was extended either “by default” or by issuing a corresponding legal act. For example, on August 5 (July 23), 1919, the Provisional government of the Northern region extended the duration until August 14 (1), 1920 of the all-Russian rent act 1917, that had to expire in August 1919.³ Similarly, on August 28, 1919, Estonia suppressed the article 66 of the 1917 rent act, which made this act valid on its territory for indefinite time.⁴

Table 1 summarizes the provisions of “rent acts” of the non-Bolshevik governments. The legal acts are placed in a chronological order. The first column contains the date of issuance of the act (if known); duration of its validity (if specified); and the number of its articles. Column 2 reports the title of the legal act in English and in the language of original in parentheses. Column 3 delimits the area of application of the legal act: geographical area; object of regulation; and exceptions, that is, criteria, according to which the market segments were determined that were not subject to the regulation. Columns 4 through 6 contain summaries of the three regulation tools considered here: rent control, protection from eviction, and housing rationing. The last column describes the bodies that were provided for to settle down the disputes between the landlords and the tenants.

3.1. Regulation complexity

Initially, the rental market legislation grew in complexity, see Figure 1. If in the ordinances issued by the governorates and military districts the number of articles did not exceed 10, the rent act of 1916 had 24 articles, while the rent act of the Provisional government of Russia issued in 1917 comprised of 66 articles! After 1917, a general tendency to a simplification of rent acts could be observed, although the process was not monotonic one. While the rent laws of the Province of Don Cossack Host and the AFSR did not differ or differed very little in terms of a content and, as a result, in terms of the number of articles from the rent act

³“On prolongation until the August 1, 1920 of the validity of the Ordinance of the Provisional Government ‘On establishing the maximum rents for apartments and other premises’ ” («О продлении до 1 августа 1920 года действия постановления Временного правительства от 5 августа 1917 года “Об установлении предельных цен на квартиры и другие помещения”»), №160 Вестник ВПСО, July 23, 1919, №18, ст. 507.

⁴Ordinance of the Provisional government of Estonia of August 28, 1919 “On the prolongation of the Russian rental law” (Asutava Kogupoolt 28. augustil 1919 a. vastuvõetud määrus veneaegse üüriseaduse pikendamise kohta), Riigi Teataja, №59, August 30, 1919, Nr. 108.

1917 (63 and 66 articles, respectively), the acts of the Crimean Regional Government of the general M.A.Sulkevich, the Ukrainian State, Estonia, Azerbaijan, and especially the FER were significantly simplified — the number of articles was reduced to 48, 35, 40, 44, and 34, correspondingly. In contrast, the Provisional government of Siberia issued the most detailed rent act that consisted of 79 articles. This was largely due to a meticulous prescriptions concerning the activities of the housing arbitration councils. At this background, the Soviet rent acts looked very thin. Even the most detailed rent act issued in 1928 in Soviet Russia, which was valid until 1990, consisted of only 20 articles.⁵ In part, such a laconicism of the Soviet laws on rent was related to the fact that the eviction of tenants was regulated by separate decrees, which consisted at most of 10 articles.⁶

3.2. Rent control

During the Russian Civil war, the non-Bolshevik governments followed two approaches to setting the allowed (maximum, or normal) housing rent: 1) setting of the general for the whole state norms of the rate of increase of the rent and 2) establishing the rent level locally by taking in account the structural and locational characteristics of dwellings (Siberia and the FER).

Setting general standards of raising rents. This approach was formulated already in the rent act of the Provisional government of Russia of 1917. The allowed rent depended on two factors: 1) a class of the settlement, according to the Direct Taxes Law, and 2) level of the rent by August 14 (1), 1914. There were four settlement classes mentioned in the rent act. Class I included the two capital cities — Moscow and St. Petersburg, class II — large and cities of regional importance such as Kiev, Odessa, Kharkov, Saratov, Rostov on Don, Kazan, etc. The classes III and IV contained smaller settlements of the local importance. For each class, the rent paid on the eve of WWI was divided in several intervals, the higher the interval the higher the allowed percentage rent increase:

⁵Ordinance of the All-Russian Central Executive Committee and the Council of People's Commissars of May 14, 1928 "On payment for residential premises in the cities and workers' settlements" («Об оплате жилых помещений в городах и рабочих посёлках»).

⁶See, for example, Decree of the Council of People's Commissars of the Russian Soviet Federative Socialist Republic of April 27, 1922 "On non-eviction in an administrative way of the citizens from their dwellings" («О невыселении в административном порядке граждан из занимаемых ими жилищ») — 5 articles and Decree of the All-Russian Central Executive Committee and the Council of People's Commissars of January 9, 1924 "On eviction of citizens from their dwellings" («О выселении граждан из занимаемых ими помещений») 3 articles + 10 articles from an instruction accompanying and clarifying the act.

$$R_{ij}^{1917} = (1 + \tau_i)R_{ij}^{1914} \quad (1)$$

where R_{ij}^{1914} is the rent for a dwelling of a rental value category i in the settlement of class j as of August 14 (1), 1914; R_{ij}^{1917} is the allowed rent, according to the rent act of August 18 (5), 1917; and τ_i is the maximum allowed percentage increase of the rent in the rental value category i ($0 < \tau_1 < \tau_2, \dots$).

Thus, the steepness of the curve of the allowed rent increase for each class rose with the pre-war rent level, as Figure 2 shows. At the same time, paradoxically, for the smaller and less important settlements the relative allowed rent increases were larger than for bigger cities. Possibly, the reason was that the people in the big cities could exert a stronger pressure on the authorities, being geographically much closer to them.

Similar provisions were contained in the rent acts of the Province of the Don Cossack Host, the Ukrainian State, and the AFSR. The Crimean Regional Government, Estonia, and Azerbaijan did not differentiate between settlement classes. Table 2 reports the average allowed rent increases by the settlement classes and for the whole state. For each settlement class, the average allowed rent increase is computed as the ratio of the area under the corresponding allowed rent curve to that under the 45° line. According to the rent act of the Provisional government of Russia, the rent might have been raised on average by 65.4%. The subsequent acts provided for larger rent increases. These shifts in the allowed percentage rent increases were not monotonically rising though. For example, the rent act of the ASFR in 1919 permitted to increase the housing rent with respect to the August 14 (1), 1914 by just 68.8%, while three earlier acts allowed to raise it by 76.9–113.5%. In the following years, the upper limit for percentage rent increases was raised significantly. In the end of 1919, in Estonia, depending on whether the dwelling was refurbished or not, the rent could be increased by 150–250%, whereas in April 1920 in Azerbaijan a 10 times increase was permitted. This was related to the a precipitant acceleration of inflation. While between 1913 and October 1917 the retail prices in Russia increased by 10 times, between October 1917 and June 1921 they rose by 7911 times (Yurovskiy 1926, p. 165–167 and 248). In the newly created states, the inflation rates could have been different. However, a lack of statistical data for the times of swift and frequent changes, when, in addition, multiple parallel currencies coexisted, makes it impossible to make

any reliable judgments.

Setting rents locally. The second approach was first used by the Provisional government of Siberia. The rent had to be set by the local housing arbitration councils as a function of the distance from the settlement center and other local conditions as well as the quality of the dwelling. In practice, however, the settlement was divided in two belts, the rent being fixed at some amount per cubic *sazhen* (a traditional Russian length measure equivalent to 2.1336 meters)⁷. As a result, the quality of dwellings was not accounted for and the rent varied only depending on the volume of the heated premises and the location of the dwelling. Such a system was very rough and reflected the real value of housing very poorly.

Although the rent acts of the AFSR and Estonia were based on a different principle of setting rent, they also allowed accounting for the quality and location of the housing (in particular, the distance between the house and the settlement center), this “fine tuning” function being delegated to the local authorities or arbitration councils.

The Far Eastern Republic evidently imitated the rent act of the Provisional government of Siberia in this respect. In addition, in the FER the normal housing rent was set by the housing councils in accordance with the “financial and economic situation” of the republic. It is not clear what was meant by this, possibly inflation. However, such a provision at least in theory allowed to flexibly adjust the rent locally to the changing conditions without waiting for a new rent act to be issued by the central authorities.

It should be noted that in the Soviet rent acts the location of dwelling as a determinant of the rent started to be used from 1926,⁸ while the preceding Soviet rent acts published in 1922–1925 provided only for discounts for dark, wet, and basement story dwellings. However, some municipalities when setting allowed rent took into account the location already in the

⁷See, for example, the ordinance of Achinsk municipality of July 1 (June 18), 1919 “On normal prices for residential premises in the city of Achinsk” («О нормальных ценах на жилые помещения в г. Ачинске»), «Енисейский вестник», 1919, №146, 154 and 156, and the ordinance of Krasnoyarsk of October 23 (10), 1919 “On the normal prices for residential premises in the city of Krasnoyarsk (excluding the Nikolaevskaya and Alexeevskaya slobodas)” («О нормальных ценах на жилые помещения в городе Красноярске (исключая Николаевскую и Алексеевскую слободы), составленное Красноярской городской думой на основании ст. 108 городского положения и ст. 9 приложения к п. 1 постановления Совета министров от 7 марта 1919 г. об установлении предельных цен на жилые помещения») (<https://vivaldi.nlr.ru/11000073120/view>).

⁸Decree of the All-Russian Central Executive Committee and the Council of People’s Commissars of August 23, 1926 “On payment for residential premises in the cities and workers’ settlements” («Об оплате жилых помещений в городах и рабочих посёлках»).

early 1920s. For example, in Petrograd in 1922 each street was assigned one of three ranks (the first-rank streets were in the city center, whereas the third-rank ones located in the periphery of the city), and the housing rent varied according to the street rank by several times.⁹

3.3. *Protection of tenants from eviction*

Automatic prolongation of contracts means that the contract term is over, the contract is automatically prolonged, unless the tenant decided to abrogate it. According to the non-Bolshevik rent act, the landlord might have rejected to prolong the contract only in the following two cases:

- if he needs the dwelling for himself or his family;¹⁰
- the dwelling is in a state or municipal building.

Limiting the reasons for evicting tenants. While the tenant could always break the contract when having informed him in advance, the landlord could do it in a limited number of cases. The rent acts of the non-Bolshevik governments provided for the following 14 cases, when the landlord might have abrogated his contract with tenant:

- 1) a significant infringement of the rental conditions;
- 2) dwelling is (urgently) needed to the landlord for his own use, provided he does not occupy any dwelling in his own house;
- 3) a infringement of the conditions of co-habitation;
- 4) damage of the rented property;
- 5) change of the use of the dwelling by the tenant from residential to commercial, industrial establishment or a warehouse;
- 6) non-payment or delayed payment of rent;

⁹Compulsovry ordinance of Petrograd of June 3, 1922 “On setting the rent for residential premises” («Об установлении квартирной платы за жилые помещения»); «Вестник Петросовета» №44.

¹⁰Already in Roman Empire, it was allowed to the landlord to terminate the rental contract if he needed the dwelling for himself; see [Petermann \(1997\)](#), p. 40.

- 7) subletting of the premises by the tenant, provided that he himself does not live in it;
- 8) violation of the sanitary and fire protection rules;
- 9) speculations with premises;
- 10) an absence of the tenant in the rented dwelling for certain period (for example, five months);
- 11) dismissal of the tenant, who was provided with the dwelling by his employer;
- 12) necessity to carry out a refurbishment during which the dwelling becomes uninhabitable;
- 13) provision by the tenant of shelter for the criminals wanted;
- 14) carrying out of illegal activities by the tenant in the rented dwelling.

Some of the reasons are quite clear cut (for example, damaging the property or non-payment), while others are very diffuse (for instance, a substantial infringement of the contract or of conditions the co-habitation in the house, dwelling, or room). It is difficult to say what was meant by the “substantial violation” of the contract conditions. This created ample possibilities for interpretation. Some rent acts specify that delayed payment or housing misuse can be considered as substantial violations. The Estonian rent act of 1919 clarifies that such infringements include the reasons 4, 5, 6, 8, 13, and 14.

In Soviet Russia, the legal acts on (non)eviction¹¹ provided for four cases, when eviction could be accomplished through a court decision: 1) “predatious” treatment of the housing leading to its destruction; 2) non-payment of rent; 3) a need to carry out refurbishment; and 4) unauthorized occupation of the premises. The first three reasons can be found also in the non-Bolshevik legislation, while the fourth one is a typically Soviet invention. All these four reasons were preconditions for a judicial eviction. In addition, there was a so-called “administrative eviction”, when the tenants could be evicted quickly and without formalities in case they lost or never had any link to the firm or establishment that possessed the corresponding premises.

¹¹Decree of the All-Russian Central Executive Committee and the Council of People’s Commissars of April 27, 1922 “On non- eviction in the administrative way of the citizens from their dwellings” («О невыселении в административном порядке граждан из занимаемых ими жилищ») and Decree of the All-Russian Central Executive Committee and the Council of People’s Commissars of January 9, 1924 “On eviction of the citizens from their dwellings” («О выселении граждан из занимаемых ими помещений»).

This is similar to the reason 11 in the above list, that was introduced for the first time in 1918 in the Ukrainian rent act.

In order to measure the degree of protection of tenants from eviction, the following index is constructed:

$$TEP_t = 1 - \frac{1}{N} \sum_{i=1}^N TEP_{it} \quad (2)$$

where TEP_t is the index of protection level (the higher the index the more protected the tenants: if the index equals to zero, then tenants can be evicted without any pretext); TEP_{it} is a binary variable that corresponds to the i -th reason of eviction (if the legal act provides for this reason, then $TEP_{it} = 1$, otherwise $TEP_{it} = 0$); and t is the time index that corresponds to the date on which the legal act was issued.

The resulting index of tenant protection from eviction is shown in Figure 3. It is seen that after the rent act of 1917 the protection had been loosened — increasingly more reasons were introduced for the landlord to abrogate the contract with tenants. The most liberal in this respect was the rent act of Estonia. The reason for that maybe a mass migration of Russians from Estonia in 1918, after the country was occupied by Germans, which led to an increase of the number of vacant dwellings. The Soviet laws in the early 1920s, at least formally, provided a higher degree of protection for the tenants. However, by using the discrimination by social class the Soviets protected certain social groups (proletariat) more than other groups (“non-labor elements”), which would be difficult to reflect in such an index. Moreover, a substantial pitfall of the index is that in some rent acts the reasons for breaking the contract are formulated in a very diffuse way. Consequently, it is not clear whether they represent single reasons or rather groups of reasons. Still, it can serve as a rough measure of the extent the tenants were protected by the state.

3.4. *Housing rationing*

In the legislation of the non-Bolshevik governments that protected the tenants from rent increases and eviction, the housing rationing provisions are found two times — in the rent laws of Estonia and the FER. They provided for a registration of available and vacant housing as well as consolidation (*uplotneniye*) of tenants.

This does not mean, though, that the non-Bolshevik governments did not use rationing

policies at all. For instance, they often made use of requisitions of housing. So, in September 1918, the Ukrainian State issued a law on requisition of premises in favor of the state bodies and civil servants.¹² The Provisional government of Siberia also issued in the fall of 1918 two legal acts that 1) prohibited an entry to its capital Omsk to the persons that did not live there on a permanent basis and did not have to Omsk any state service or other links; and 2) registration and requisition of housing in favor of military and state bodies as well as individual military personnel and civil servants.¹³ However, such requisitions served only a relatively narrow group of population (military and civil servants) and had no general nature like, for example, in Soviet Russia. Moreover, the requisition of housing for military purposes is an instrument, which has been widely used by many countries for a long time in order to lodge the military personnel and not to combat the housing problems of the whole society.

For the first time, the housing rationing was introduced in November 1919 by democratic Estonia. Its rent act provided for requisition of the vacant, but, which is more important, “excess” housing. The exact norms of housing space had to be established by the municipal authorities.

In the area of the housing rationing, the rent act of the FER is close to the Soviet legislation. It specifies a uniform norm of living for the whole republic, namely 3 cubic *sazhen*, that is, approximately 29.1 m^3 per person. This norm is comparable with the Soviet one, given that the height of ceiling of at least 2.5 *m*, which was the minimum standard, below which the Soviet rent acts required discount for bad living conditions. According to the Soviet legislation,¹⁴ the norm of living space per an adult was 2 square *sazhen*, or 9 m^2 .

Thus, an aggravation of the housing crisis forced the authorities, regardless of their ideology,

¹²Law of September 24, 1918 “On requisition of residential and non-residential premises in favor of the government bodies and their employees” («Про ревізіцію житлових і нежитлових помешкань для задоволення державних і громадських загальнодержавного значення установ, а також осіб, які перебувають на службі в державних установах»), cited by Timoschuk (2000), p. 114.

¹³Ordinances of the Administrative Council of the Provisional government of Siberia of September 7, 1918 “On some measures concerning the city of Omsk” («О некоторых мероприятиях по городу Омску») and October 4, 1918 “On the way of providing premises to the government bodies and their employees in the city of Omsk” («О порядке обеспечения помещениями в городе Омске правительственных учреждений и служащих в них»), Собрание узаконений и распоряжений правительства, №11, 1914—1918

¹⁴Ordinance of the All-Russian Central Executive Committee and the Council of People’s Commissars of June 13, 1923 “On payment for residential premises in the urban settlements” («Об оплате жилых помещений в поселениях городского типа»), §2.

to introduce housing rationing measures.¹⁵

3.5. *Settling down the housing related disputes*

The rent act of Russian Provisional government of August 18, 1917 empowered the city *dumas* (local parliaments) to create the so-called *housing arbitration councils*.¹⁶ They had to settle down the disputes between the landlords and the tenants. Specifically, the arbitration councils had the following functions: 1) a supervision over the abidance of the rent act and prosecution of those who infringed it; 2) handling the disputes between the landlords and tenants concerning the level of the rent; 3) handling other disputes between the landlords and tenants; 4) preliminary setting of the rent for the premises upon a request by the landlords; 5) handling other cases considered to be subject to the arbitration councils jurisdiction. The creation of arbitration councils had as its purpose to lessen the burden of the courts. At the same time, it was allowed to let the housing disputes be considered by the justice of peace.

All the rent acts by the non-Bolshevik governments, except that of the Ukrainian State, foresaw the housing arbitration councils. In Ukraine, these councils were abolished and their functions were transferred to the justice of peace. The cancellation of the housing arbitration councils by the government of Hetman P. P. Skoropadskiy was most likely related to his aspiration at guaranteeing a clear cut division between the three branches of power: legislative, executive, and judicial one. According to his opinion, only judicial power had to settle down all kinds of conflicts, including the housing ones. The arbitration councils duplicated the courts and were subject to a larger administrative pressure than the latter.

As a rule, the rent acts did not specify any criteria for the membership in the housing arbitration councils. Only the rent act of Azerbaijan itemizes in a very detailed way the preconditions for being members of the arbitration councils. According to this law, the members of housing arbitration councils should have been at least 25 years old and literate, while the chairmen of the councils should have had at least secondary education. Moreover, the following categories of persons might be neither chairmen nor members of the arbitration councils: 1)

¹⁵Similar policy was carried out, for example, in Germany (Kholodilin 2017) as well as in the countries of the Eastern and Central Europe (Miletić 2016).

¹⁶Similar arbitration councils were created at that time in many countries, for example, France, Germany, and the UK. Currently, they still exist in Switzerland (*Schlichtungsbehörden/autorités de conciliation/autorità di conciliazione*).

persons who were under remand and convicted to prison as well as excluded from the civil services by a court decision; 2) persons declared insolvent debtors; 3) persons who were in ward for their prodigality; 4) blind, deaf, dumb, or bereft of reason.¹⁷ Possibly, such a detailed list of prerequisites was caused by a shortage of educated persons and a large number of abuses in the arbitration councils of the Azerbaijan Republic. Indeed, the share of literate in 1905, in the predecessor of the Azerbaijan Republic, Bakinskaya governorate was 7.9% of the population, whereas in whole Russia it was 21.1% ([Tsentral'nyi Statisticheskii Komitet MVD 1910](#), p. 86–88).

Initially, the housing arbitration councils had to be comprised by the representatives of landlords and tenants in equal numbers. The idea was to reflect the interests of both parties on an equitable basis. Starting from 1919, from the rent act of the Provisional government of Siberia, the arbitration councils included also representative of the subtenants renting rooms. This was related to the fact that the conflicts arose not only between the landlords and tenants of the whole apartments, but also between the tenants of apartments and those of rooms. Given that the tenants of apartments were sufficiently well protected from eviction, the conflicts between them and their subtenants went into the forefront. In the Far Eastern Republic, which was a marionette buffer state under protectorate of Soviet Russia, a tendency of squeezing the landlords and even tenants from arbitration councils was evident. As a rule, in the FER the housing arbitration councils had to be made up by four representatives of the authorities, two representatives of trade unions, and only one representative of the tenants. Only when the setting of the “normal” rents was on the agenda, it was allowed to invite into the council one representative of the landlords. Of course, no symmetric accommodation of interests of the parties of the housing relations was possible under such a framework.

In Soviet Russia, setting of the rent was an exclusive prerogative of the local authorities in coordination with the trade unions.¹⁸ Interestingly, in 1927, the housing arbitration councils

¹⁷Interestingly, similar, although not so restrictive constraints were imposed on the members of arbitration councils (*commissions d'expertise*) in Morocco by the *Dahir du 25 février 1920 (4 jourmada II 1338) réprimant la spéculation illicite sur les loyers*, which required that members of the councils should attain the age of 25 years, not having been subject of criminal or correctional conviction, and being of a recognized honor.

¹⁸See, for example, Ordinance of the All-Russian Central Executive Committee and the Council of People's Commissars of June 13, 1923 “On payment for the residential premises in the urban settlements” («Об оплате жилых помещений в поселениях городского типа»).

were revived for a period of four years under the name of “arbitration and conflict commissions for housing issues” (*primiritel’no-konfliktnye komissii po zhilishchnym delam*). They consisted of the representatives of the local authorities, the People’s Commissariat of Internal Affairs, and a local association of the housing cooperatives and dealt with the conflicts of the tenants between themselves as well as between the tenants and the housing administration. The commissions confined themselves to solving rather minor issues.¹⁹ The resurrection of the arbitration councils in this new form was motivated by an avalanche-like increase in the number of housing conflicts and small everyday disputes caused by a further aggravation of the housing crisis ([Kramer-Ageev 1929](#)). However, already in 1931 these councils were definitely abolished.²⁰

4. Conclusion

In this study, we considered the housing legislation of the non-Bolshevik governments that were active in 1917–1922 on the territory of the former Russian Empire. The rent acts of eight states — the Province of the Don Cossack Host, the Provisional government of Siberia, the Crimean Regional Government, the Ukrainian State, the Armed Forces of South Russia, Estonia, the Far Eastern Republic, and Azerbaijan — were examined. Three tools of the governmental regulation of the rental housing market were analyzed: 1) rent control, 2) protection of tenants from eviction, and 3) housing rationing. In addition, the extracurial bodies for settling down the housing-related conflicts were investigated.

It was demonstrated that initially the complexity of legislation increased. However, starting in 1918, its spasmodic simplification began that is reflected in the reduction of the texts of the corresponding legal acts. Rent controls followed the rent increases and the overall consumer price rises, although this adjustment was not steady. Moreover, the non-Bolshevik governments also loosened the protection of tenants from eviction. As a rule, in order to settle down the

¹⁹Ordinance of the All-Russian Central Executive Committee and the Council of People’s Commissars of March 7, 1927 “On organization of the housing arbitration councils” («Об организации примирительно-конфликтных комиссий по жилищным делам»).

²⁰Ordinance of the All-Russian Central Executive Committee and the Council of People’s Commissars of June 30, 1931 “On organization of burlaw courts at the housing and housing-rental cooperatives and housing trusts and on liquidation of the housing arbitration councils” («Об организации товарищеских судов при жилищных и жилищно-арендных кооперативных товариществах и при домовых трестах и о ликвидации примирительно-конфликтных комиссий по жилищным делам») (СУ, 1931, N 36, ст. 295).

housing disputes the arbitration housing councils were employed that at some point were extended to include more parties: not only landlords and tenants renting entire apartments, but also those renting single rooms. In Soviet Russia, the arbitration councils and big private landlords were abolished, while tenants were discriminated according to their social and economic characteristics.

A case of the housing legislation of the Far Eastern Republic deserves a special attention. In a sense, it is an hybrid between the housing law of the Provisional government of Siberia and that of Soviet Russia. On the one hand, like in the non-Bolshevik legislation, it does not use the class approach. On the other hand, it provides for the rationing of housing and involvement of trade unions in the settlement of the housing disputes combined with a reduction of the role of landlords and tenants.

References

- Dobranitskiy, M. M. (1918). *Как пользоваться новым квартирным законом Донского правительства. Подробное постатейное изложение и объяснение квартирного закона 11-го августа 1918 г. с приложением текста закона, примерами вычислений наёмной платы и таблицы сроков*. Ростов-на-Дону: Издание кооперативного книгоиздательства т-ва «Единение».
- Gerasimov, T. Y. (2011). Вплив квартирного законодавства 1917–1918 рр. на житлові умови мешканців подільських міст доби Гетьманату П. Скоропадського (квітень-грудень 1918 р.). *Наукові праці Кам'янець-Подільського національного університету імені Івана Огієнка: Історичні науки* 21, 422–429.
- Gusev, A. B. (2008). Доступность жилья в России и за рубежом: сравнительный анализ. http://kapital-rus.ru/articles/article/dostupnost_zhilya_v_rossii_i_za_rubezhom.
- International Labour Office (1925). *The housing situation in the United States*. Geneva.
- Kholodilin, K. (2017). Quantifying a century of state intervention in rental housing in Germany. *Urban Research and Practice*, forthcoming.

- Kholodilin, K. A. and T. Y. Gerasimov (2017). Возникновение жилищного кризиса и борьба с его последствиями: Правобережная Украина в 1914–1918 гг. *Исторический журнал: научные исследования* 1(1610), 115–128.
- Kholodilin, K. A. and M. G. Meerovich (2016). Housing policy in Soviet Russia and Germany between the two world wars: Comparative analysis of two systems. *Journal of Urban History*, forthcoming.
- Kirillova, E. A. (2016). Soviet housing policy during the NEP years: Housing self-administration and the apartment question (from Petrograd-Leningrad materials) (Советская жилищная политика в годы нэпа: квартирный вопрос и домовое самоуправление в Петрограде-Ленинграде). *The Soviet and Post-Soviet Review* 43(1), 5–35.
- Kir'yanov, Y. I. (2001). Бюджетные расходы рабочих России в конце XIX — начале XX вв. In *Россия и мир. Памяти профессора Валерия Ивановича Бовыкина: Сборник статей*, pp. 308–330. Москва: Российская политическая энциклопедия (РОССПЭН).
- Kondrat'iev, N. D. (1991). *Рынок хлебов и его регулирование во время войны и революции*. Москва: Наука.
- Kramer-Ageev, A. (1929). Примирительно-конфликтные комиссии по жилищным делам. *Еженедельник советской юстиции* 16, 353–354.
- Krujnov, Y. N. (2014). *История квартирного вопроса в России, или коммуналки навсегда*. Санкт-Петербург: Серебряный век.
- Meerovich, M. G. (2003). Власть и жилище (жилищная политика в СССР в 1917–1940 годах). *Вестник Евразии* 1, 5–66.
- Meerovich, M. G. (2004). Социально-культурные основы осуществления государственной жилищной политики в РСФСР (1917-1941 гг.): Дисс. на соиск. уч. ст. докт. ист. наук. Иркутск. (Socio-cultural bases of carrying out the housing policy in the RSFSR (1917-1941): Dissertation for the degree of Doctor of historical sciences; in Russian).
- Meerovich, M. G. (2008). *Наказание жилищем: жилищная политика в СССР как средство управления людьми (1917-1937 годы)* (*Punishing with housing: Housing policy in*

- the USSR as a means to control people (1917-1937); in Russian*). Российская политическая энциклопедия (РОССПЭН); Фонд Первого Президента России Б. Н. Ельцина, (История сталинизма).
- Mihaliov, N. A. and S. A. P'yankov (2015). Беженцы Первой мировой войны в Российской империи: численность, размещение, состав. *Уральский исторический вестник* 49(4), 95–105.
- Miletić, A. R. (2016). Tenancy vs. ownership rights. housing rent control in Southeast and East-Central Europe, 1918–1928. *Mesto a dejiny* 5(1), 51–74.
- Naumov, G. (1914). *Бюджеты рабочих города Киева: По данным анкеты, произведённой в 1913 году Обществом экономистов и Ремесленной секцией при Киевской выставке*. Киев: Типография И.И. Чоколова.
- Orlov, I. V. (2015). *Коммунальная страна: становление советского жилищно-коммунального хозяйства (1917–1941)*. Москва: Издательский дом Высшей школы экономики.
- Petermann, F. T. (1997). *Die Entwicklung des schweizerischen Mietrechts von 1881 bis 1989. Dissertation zur Erlangung der Würde eines Doktors des Rechtswissenschaft*. Zürich: SVIT-Verlag.
- Petrakov, Z. S. (2016). Развитие жилого фонда г. Курска в период с 1918 по 1941 гг. (на материалах Государственного архива Курской области) . *Научные ведомости Белгородского государственного университета. Серия: История. Политология* 8(229), 119–124.
- Plehanova, A. M. (2011). Государственная жилищная политика в городах Бурятии в 1920-х гг. *Власть* 10, 127–131.
- Sokova, Z. N. (2013). К оценке жилищного кризиса в первые годы советской власти (на материалах Тюмени). *Вестник Тюменского государственного университета. Социально-экономические и правовые исследования* 2, 155–161.

Timoschuk, O. V. (2000). *Охоронний апарат Української Держави (квітень – грудень 1918 р.)*. Харків : Вид-во Ун-ту внутр. справ.

Tsentrал'nyi Statisticheskii Komitet MVD (1910). *Ежегодник России 1910 г. (Год седьмой)*. Санкт-Петербург: Центральный Статистический Комитет МВД.

Yurovskiy, L. N. (Ed.) (1926). *Наше денежное обращение. Сборник материалов по истории денежного обращения в 1914–1925 гг.* Москва: Финансовое издательство НКФ СССР.

Appendix

Table 1: Housing legislation, 1918–1922

Dates and size	Title and source	Application sphere	Rent control	Protection from eviction	Housing rationing	Dispute settle- ment bodies
<p>Date: Aug. 18 (5), 1917.</p> <p>Valid: Aug. 18 (5), 1917 – Aug. 14 (1), 1919.</p> <p>Articles: 66.</p>	<p>Title: On establishing the maximum rents for apartments and other premises (Об установлении предельных цен на квартиры и другие помещения).</p> <p>Source: Собрание узаконений и распоряжений правительства 11 авг. 1917 г. №191, стр. 1136.</p>	<p>Region: Russia. Settlements: 510. Subject: apartments, rooms, corners, and beds rented out or sublet. Apartment = premises occupied by the public offices, educational, health care, and charity establishments as well as by commercial and industrial firms, if their owners lodge in the premises and if they were rented out by the date this act entered in force. Exceptions: 1) premises with rent (without heating) >1800 rubles in I class settlements, 1200 rubles in II class, 700 rubles in III class, and 400 rubles in all other settlements; 2) offices, stores, and premises occupied by the commercial and industrial firms if they were not rented out by Aug. 18 (5) 1917; 3) rooms, corners, and beds in hotels as well as corners and beds rented out in the summer residence areas on a seasonal basis or in the health resorts — for the guests coming for a short while for health recovery; 4) premises in hotels or furnished chambers if the same owner rents out >10 rooms in the same building.</p>	<p>Setting: normal rent on Aug. 1 (July 19), 1914 + 15–100% depending on the class of settlement and rent level. Normal rent for a premise for the first time rented after Aug. 1 (July 19), 1914 = rent for the first payment term. Increase: 1) proportionally to rise in wages of yard-keepers and porters; 2) in case of inner refurbishment after Aug. 1 (July 19), 1914; 3) to compensate increasing expenses for removal of waste and snow, sanitation and water supply in the absence of running water; and 4) proportionally to rise in price of fuel. Subletting: 1) 1 room +60%; 2) 2 rooms +100%; 3) corners and beds (≤ 10) +100%.</p>	<p>Prolongation: automatically, provided that tenants obey all contract conditions, but not allowed, if 1) premise was rented out by landlord because he was absent and he needs it now for his personal use or 2) premise is in a public, municipal, or county building. Termination reasons: 1) if tenant substantially infringes contract conditions; 2) if tenants infringe conditions of co-habitation in the house.</p>		<p>arbitration councils (landlords and tenants) and justice of the peace</p>

Table 1: Housing legislation, 1918–1922 (continuation)

Dates and size	Title and source	Application sphere	Rent control	Protection from eviction	Housing rationing	Dispute settle- ment bodies
<p>Date: Aug. 24 (11), 1918. Validity: through Aug. 14 (1), 1919. Articles: 63.</p>	<p>Title: On setting maximum rents for premises in real estates (Об установлении предельных плат за наём помещений в недвижимых имуществвах). Source: Dobranitskiy (1918).</p>	<p>Region: Province of the Don Cossack Host. Settlements: urban settlements, were the rent acts of 1916 and 1917 were in force. Subject: apartments, rooms, corners, and beds rented out or sublet. Apartment = 1) residential premises consisting of 1 or several rooms with a common kitchen; 2) premises occupied by the public offices, educational, health care, and charity establishments; 3) premises occupied by the commercial, industrial, and handicraft firms as well as by warehouses. Exceptions: 1) rooms, corners, and beds in hotels; 2) apartments, rooms, corners, and beds rented out in the summer residence areas on a seasonal basis or in the health resorts let for the guests coming for a while for health recovery; 3) apartments in the houses built during the validity period of this act.</p>	<p>Setting: normal rent on Aug. 1 (July 19), 1914 + 35–150% depending on the class of settlement and rent level. Normal rent for a premise for the first time rented after Aug. 1 (July 19), 1914 = rent for the first payment term. Increase: 1) proportionally to rise in wages of yard-keepers and porters; 2) to compensate increasing expenses for removal of waste and snow, sanitation, and water supply, 4) in part proportionally to rise of prices for fuel. Subletting: 1) rooms with furniture +60%, for each individual room +25%, but no more than 6 rooms (i.e., at most 210%); 2) rooms without furniture +35–185%; 3) corners and rooms (≤ 10) +100%.</p>	<p>Prolongation: automatically, provided that tenants obey all contract conditions, but not allowed, if 1) premise was rented out by landlord because he was absent and he needs it now for his personal use or 2) premise is in a public, municipal, or county building. Termination reasons: 1) if tenant substantially infringes contract conditions; 2) tenant infringes conditions of co-habitation in the house; 3) deliberate damage of the rented premise; 4) tenant changes the use of the dwelling (e.g., transforms it from residential to commercial, industrial, or handicraft establishment or warehouse); 5) if tenants or his family members do not use the premises to live there, but sublet it wholly by parts without consent of the landlord; 6) non-payment.</p>		<p>Dispute settlement bodies arbitration councils (landlords and tenants) and justice of the peace</p>

Table 1: Housing legislation, 1918–1922 (continuation)

Dates and size	Title and source	Application sphere	Rent control	Protection from eviction	Housing rationing	Dispute settle- ment bodies
<p>Date: Oct. 14 (1), 1918. Validity: through May 14 (1), 1920. Articles: 48.</p>	<p>Title: Act on renting residential premises in Crimea (Постановление о найме жилищных помещений в Крыму).</p> <p>Source: Собрание узаконений и распоряжений Крымского краевого правительства, 1 окт. 1918 г., №6.</p>	<p>Region: Crimea. Settlements: cities: Simferopol, Perekop, Armyskiy-Bazar, Dzhankoy, Evpatoriya, Sevastopol, Balaklava, Alupka, Yalta, Alushta, Feodosiya, Kerch, Staryi-Krym, Karasubazar, and Bakhchisaray as well as health resort settlements: Gurzuf, Saki, Semeizy, and Sudak. Subject: residential premises: 1) apartments, rooms, and corners rented out; 2) premises occupied by the public offices, educational, health care, and charity establishments. Exceptions: 1) rooms in hotels, furnished chambers, and guest houses rented by the day; 2) beds for night lodging.</p>	<p>Setting: last rent: 1) rent prior to Aug. 18 (5), 1917 +60%, 2) rent after Aug. 18 (5), 1917 +15-50% depending on the rent level. Normal rent for a premise for the first time rented after Aug. 1 (July 19), 1914 = rent for the first payment term. Increase: 1) heating; 2) water supply by the municipal water delivery system or water carters; 3) to compensate increasing expenses for removal of waste and sewage; 4) proportionally to rise in wages of yard-keepers and porters; 5) taxes paid by the landlord to the extent they will be increased after the issuance of this act; 6) other services and conveniences supplied to the tenants: electric lighting, common-use telephone, etc.; 7) interior refurbishment; and 8) furniture. Subletting: 1) rooms with furniture +100%; 2) rooms without furniture +75%; 3) corners +50% of the rent for room.</p>	<p>Prolongation: automatically, provided that tenants obey all contract conditions, but not allowed, if premise was rented out by landlord because he was absent and he needs it now for his personal use. Termination reasons: 1) tenant uses the apartment in such a way that it can create conditions disturbing tranquility or security of other tenants, or injuring morality; 2) if tenant systematically infringes the sanitary and fire protection rules; 3) if tenants or his family members do not use the premises to live there, but sublet it wholly by parts without consent of the landlord; 4) if tenant delayed the rent payment.</p>		<p>Dispute settlement bodies arbitration councils (landlords and tenants) and justice of the peace</p>

Table 1: Housing legislation, 1918–1922 (continuation)

Dates and size	Title and source	Application sphere	Rent control	Protection from eviction	Housing rationing	Dispute settle- ment bodies
<p>Date: Nov. 20, 1918. Validity: Nov. 20, 1918 – Sep. 14 (1) 1919. Articles: 35.</p>	<p>Title: Act on renting premises (Закон про наймання приміщень). Source: Державний Вісник, 1918 г., №63.</p>	<p>Region: Ukrainian State. Settlements: 1) Kiev, Khar'kov, Odessa, 2) all other gubernorate capitals as well as Berdichev, Vinnytsa, Gomel', Yelizavetgrad, Nikolaev, Nezhin, and Uman'; 3) all other urban settlements and suburbs as well as the summer residence areas and residential parishes Yuzovka, Kamenskoe, Yenakievo, and Lozovoye of Yekaterinoslavskaya gubernorate and Krivoy Rog of Hersonskaya gubernorate. Subject: hotels, restaurants, shops and other commercial premises; apartments rented out to private persons and public, educational, healthcare and charity establishments; rooms, corners and beds rented out by the landlords, owners of share apartments and tenants. Exceptions: 1) 1) dwellings in houses that were built or reconstructed after Aug. 18 (5), 1917; 2) apartments and rooms rented out in the summer residence areas on a seasonal basis.</p>	<p>Setting: normal rent on Aug. 1 (July 19), 1914 + 50–100% depending on the class of settlement and rent level. Normal rent for a premise rented out for the first time after Aug. 1 (July 19), 1914 = rent for the first payment term. Increase: 1) proportionally to rise in wages of yard-keepers, porters and chimney sweepers; 2) to compensate increasing expenses for removal of waste and refuse; sanitation and drainage; and water supply; and 3) proportionally to rise in price for fuel.</p>	<p>Prolongation: automatically, provided that tenants obey all contract conditions, but not allowed, if 1) premise was rented out by landlord because he was absent and he needs it now for his personal use and 2) premise is in a public, municipal, or county building. Termination reasons: if 1) rent is not paid within 7 days; 2) lodging is used for other purposes than indicated in the contract; 3) tenant intentionally or unintentionally damages premises; 4) tenant infringes conditions of co-habitation in the house; 5) tenant speculates with lodging; 6) tenant is absent in the lodging longer than 5 months; 7) tenant was fired and his employment was related to the occupation of the dwelling (manager, porter, yard-keeper, etc.).</p>		<p>justice of the peace</p>
<p>Date: Mar. 20 (7), 1919. Validity: not specified. Articles: 79.</p>	<p>Title: On setting the maximum rents for residential premises (Об установлении предельных цен на жилые помещения). Source: Вестник Томской губернии, 14 апр. 1919 г., №42.</p>	<p>Region: areas freed from the Soviets (mainly Siberia). Settlements: urban settlements with self-administration. Subject: 1) apartments, rooms, corners, and beds rented out; 2) premises occupied by the government, public, educational, healthcare, and charity establishments.</p>	<p>Setting: Normal rent differentiated by city belts/districts depending on: 1) distance from the city center and 2) other local conditions. Includes: 1) wages of yard-keepers, porters, and night-watchmen; 2) heating, 3) water supply. Does not include: 1) removal of waste and snow; 2) cleaning of sidewalks and chimneys; 5) sanitation. Discounts / mark-ups: 1) in the absence of a premise for fuel, cellar, or pantry -20%; 2) (semi)basement, wet, dark, shabby, and extremely uncomfortable apartments -50%; 3) provision of furniture +50%. Subletting: 1) rooms with furniture +25%, 2) rooms with furniture, dishes, and kitchen +50%.</p>	<p>Prolongation: automatic. Termination reasons: 1) if landlord needs the dwelling and has no apartment in his house; 2) if tenant substantially infringes contract conditions (repeated violation of the payment term); 3) tenant infringes conditions of co-habitation in the house; 4) if the dwelling needs a substantial refurbishment.</p>		<p>arbitration councils (landlords, apartment tenants, and room subtenants)</p>

Table 1: Housing legislation, 1918–1922 (continuation)

Dates and size	Title and source	Application sphere	Rent control	Protection from eviction	Housing rationing	Dispute settlement bodies
<p>Date: May 6 (Apr. 23), 1919. Validity: not specified. Articles: 66.</p>	<p>Title: Rules on maximum rents for apartments and other premises (Правила о предельных ценах на квартиры и другие помещения). Source: Собрание узаконений и Правительств, издаваемое особым совещанием при главнокомандующем Вооружёнными силами на Юге России, 16 мая 1919 г., №3, ст. 21.</p>	<p>Region: not specified, implicitly that under control of the AFSR. Settlements: all urban settlements and other areas, which were subject to the rent act of 1917. Subject: apartments, rooms, corners, and beds rented out. Apartment = premises occupied by the public offices, educational, health care, and charity establishments as well as by commercial and industrial firms, if their owners lodge in the premises and if they were rented out by the date this act entered in force. Exceptions: 1) premises in hotels; 2) rooms with furniture, provided that the same landlord rents out > 10 rooms in the same house.</p>	<p>Setting: normal rent prior to Aug. 1 (July 19), 1914 + 25-100% depending on the class of settlement and rent level. Normal rent = 1) rent agreed upon in the last written contract prior to Aug. 1 (July 19), 1914 or actually paid under an oral contract, if premise was rented prior to Aug. 1 (July 19), 1914; 2) the rent for the first payment term +10%, if premise was rented for the first time after Aug. 1 (July 19), 1914; 3) the rent for the first payment term +25%, if premise is in a new house, where dwellings were rented for the first time between Aug. 1 (July 19), 1914 and Aug. 1 (July 19), 1915. Mark-ups: normal rent + 150% depending on local conditions, rental yield and comfort of the houses. Increase: 1) proportionally to rise in wages of yard-keepers and porters; 2) in case of inner refurbishment after Aug. 1 (July 19), 1914 required by tenant; 3) to compensate increasing expenses for removal of waste, sanitation and water supply; and 4) to compensate increasing expenses for removal of snow, cleaning of chimneys and lighting of stairs, corridors, courts, etc.; 5) in part proportionally to rise in price of fuel. Subletting: 1) 1 room +60%, 2) 2 rooms +100%.</p>	<p>Prolongation: automatically, provided that tenants obey all contract conditions, but not allowed, if 1) landlords needs the premise for his personal use or 2) premise is in a public, municipal, or county building. Termination reasons if tenant: 1) substantially infringes contract conditions (e.g., by changing the use of the premise through transformation of a residential premise into commercial one); 2) infringes conditions of co-habitation in the house; 3) intentionally damages premises; 4) does not use the premises to live there, but sublets it without consent of the landlord; 5) does not pay rent; 6) delays the rent payment.</p>		<p>Dispute settlement bodies arbitration councils (landlords, apartment tenants, and room subtenants)</p>

Table 1: Housing legislation, 1918–1922 (continuation)

Dates and size	Title and source	Application sphere	Rent control	Protection from eviction	Housing rationing	Dispute settlement bodies
<p>Date: Nov. 25, 1919. Validity: not specified. Articles: 40.</p>	<p>Title: Law on housing rent (Hüürimaksu seadus). Source: Rigi Teataja, 4 dek. 1919 r., №99/100, Nr. 173.</p>	<p>Region: Estonia. Settlements: not specified, can be established by the Ministry of Justice upon a request of local housing arbitration councils. Subject: apartments, rooms, corners, and beds rented out or sublet. Apartment = premises occupied by the public offices, educational, health care, and charity establishments as well as by commercial and industrial firms, if their owners lodge in the premises, paid rent as of Aug. 1 (July 19), 1914 ≤ 30 rubles/month in Tallinn, 20 rubles in Tartu and Narva, and 15 rubles in other urban settlements, and have no separate apartment in their house.</p>	<p>Setting: rent as of Aug. 1 (July 19) 1914, if 1) the housing was not internally refurbished + 150%, 2) the housing was properly refurbished +250%; 3) in the houses built after Aug. 1 (July 19), 1914 up to the issuance date of this act, the rent for comparable dwellings as of Aug. 1 (July 19) accounting for the floor area, capacity, auxiliary rooms, sanitary qualities of the dwelling, and distance of the house from the center of the settlement; 4) in the houses built after the publication of this act, normal rent = 8–10% building cost (purchasing price) of the house. Increase: 1) heating; 2) lighting; 3) water supply; 4) use of furniture; 5) use of services. Subletting: 1) .</p>	<p>Termination reasons: 1) if tenant substantially infringes contract conditions (the rental payment was delayed twice; the premises are used without consent of the landlord for other purposes than specified in the contract; deliberate or undeliberate damage of the property; disregarding of public, sanitary, fire safety, and police rules as a result of which the landlord may be subject to a penalty or suffer harm; providing accommodation to criminals wanted by the authorities; running in the premises businesses punishable by law), 2) tenant infringes conditions of co-habitation in the house, 3) if the dwelling requires a major refurbishment, which cannot be carried out while the tenant uses the dwelling; 4) if the landlord urgently needs the dwelling for himself.</p>	<p>Requisition: 1) if the house or apartment are vacant due to the lack of the required maintenance; 2) if the tenant and his family do not occupy the dwelling on a permanent basis; 3) if the size of the dwelling does not correspond to the size of the tenant's family, thereby the rooms used for the tenant's professional activities must be taken into account.</p>	<p>arbitration councils <i>lepaitsuskojad</i> (landlords and tenants) and justice of the peace</p>

Table 1: Housing legislation, 1918–1922 (continuation)

Dates and size	Title and source	Application sphere	Rent control	Protection from eviction	Housing rationing	Dispute settlement bodies
<p>Date: Apr. 25 (12), 1920.</p> <p>Validity: through Jan. 13, 1922 (Dec. 31, 1921).</p> <p>Articles: 44.</p>	<p>Title: Law on setting maximum rents and conditions for using residential, commercial, and other premises.</p> <p>Source: Аpxи, ф. 895, оп. 3, л. 119, л. 40-46. Азербайджан. 17 амп. 1920 г., №75.</p>	<p>Region: Azerbaijan Republic. Settlements: urban settlements and other areas indicated in the rent act of the Provisional government of 1917. Subject: 1) letting of residential and commercial premises; 2) subletting of these premises by the tenants; 3) letting by the landlords and tenants of separate rooms, corners, and beds. Apartment = premises occupied by the public offices, educational, health care, and charity establishments. Commercial premises = premises occupied by the commercial and industrial establishments (shops, stores, workshops, restaurants, offices, etc.). Exceptions: 1) premises in the hotels and furnished chambers, if the landlord let > 10 in the same building.</p>	<p>Setting: maximum rent as of Aug. 1 (July 19), 1914 r. 1) residential premises $\times 10$, 2) commercial premises $\times 20$. Maximum rent for premise that was for the first time rented after Aug. 1 (July 19), 1914: 1) houses built prior to Aug. 1 (July 19), 1914 — maximum rent for comparable premises; 2) houses built after — rent accounting for the time of building and construction cost of the house. Increase: 1) wages of yard-keepers; 2) cleaning of houses; 3) payment of state and municipal taxes. Subletting: 1) 1 room without furniture +30%, 2) 1 room with furniture +50%; 3) 2 rooms without furniture +60%, 4) 2 rooms with furniture +100%, 5) >2 rooms or >10 corners and beds +100%, 6) parts of commercial premises +100%.</p>	<p>Prolongation: automatically, provided that tenants obey all contract conditions. Termination reasons: if 1) the tenant radically changes the use of the premise indicated in the contract, rebuilds self-willingly the premise, or causes its destruction; 2) the tenant infringes conditions of co-habitation; 3) after this act was published, the tenant transmits the rights and obligations related to the whole apartment to other person in disregard for the contract; 4) non-payment within 7-days term or for two payment terms.</p>		<p>Dispute settlement bodies arbitration councils (landlords and tenants) — multiple criteria of council membership and participation in settling down conflicts</p>

Table 1: Housing legislation, 1918–1922 (continuation)

Dates and size	Title and source	Application sphere	Rent control	Protection from eviction	Housing rationing	Dispute settlement bodies
<p>Date: July 14, 1921. Validity: not specified. Articles: 34.</p>	<p>Title: On satisfaction of the housing needs in the cities and purlieus of the Far Eastern Republic and on the setting of normal rents for residential premises (Об удовлетворении жилищной потребности в городах и пригородах Дальне-Восточной Республики и о порядке установления нормальных цен на жилые помещения).</p> <p>Source: Собрание узаконений и распоряжений правительства ДВР, 1921 г., №2 (8), ст. 45.</p>	<p>Region: FER. Settlements: cities and purlieus. Subject: residential premises (apartments, corners, and beds) and premises occupied by the government (military and civil), public, cooperative, professional, and party organizations. Exceptions: 1) premises in hotels and furnished chambers.</p>	<p>Setting / increase: normal rent is set by the housing council depending on the financial and economic situation in the FER. For different belts of the city and purlieus different rents are set. Does not include: 1) wages of yard-keepers, porters, and night-watchmen; 2) cost of heating and lighting; 3) water supply; 4) waste removal and cleaning of chimneys; 5) removal of sewage. Discounts: 1) in the absence of a premise for fuel, cellar, or pantry - 20%, 2) (semi)basement, wet, dark, and shabby dwellings -50%. Subletting: corners and beds (≤ 10) +100%.</p>	<p>Termination reasons: 1) if landlord needs dwelling and does not have one in his own house; 2) if tenant substantially infringes contract conditions or use of the premises (violates the payment terms two times); 3) if tenants infringe conditions of co-habitation.</p>	<p>Methods: 1) registration of all premises (residential and non-residential); 2) housing of vacant premises and consolidation of tenants in the occupied premises; 3) adaptation for housing of the non-residential premises. Norms: 3 cubic sazhen per inhabitant.</p>	<p>Dispute settlement bodies housing arbitration councils (self-administration of the city, local administrative department, trade union, tenants, landlords)</p>

Table 2: Allowed rent increases, %

Settlement class	Russia 1917	Don 1918	Crimea 1918	Ukraine 1918	AFSR 1919	Estonia 1919	Azerbaijan 1920
I	62.4	–		–	65.9		
II	64.6	106.8		76.0	68.0		
III	66.3	88.0		76.6	69.7		
IV	68.4	–		78.0	71.8		
On average	65.4	97.4	113.5	76.9	68.8	150–250	900

Figure 1: Degree of complexity of legal acts on tenant protection from rent increases and eviction

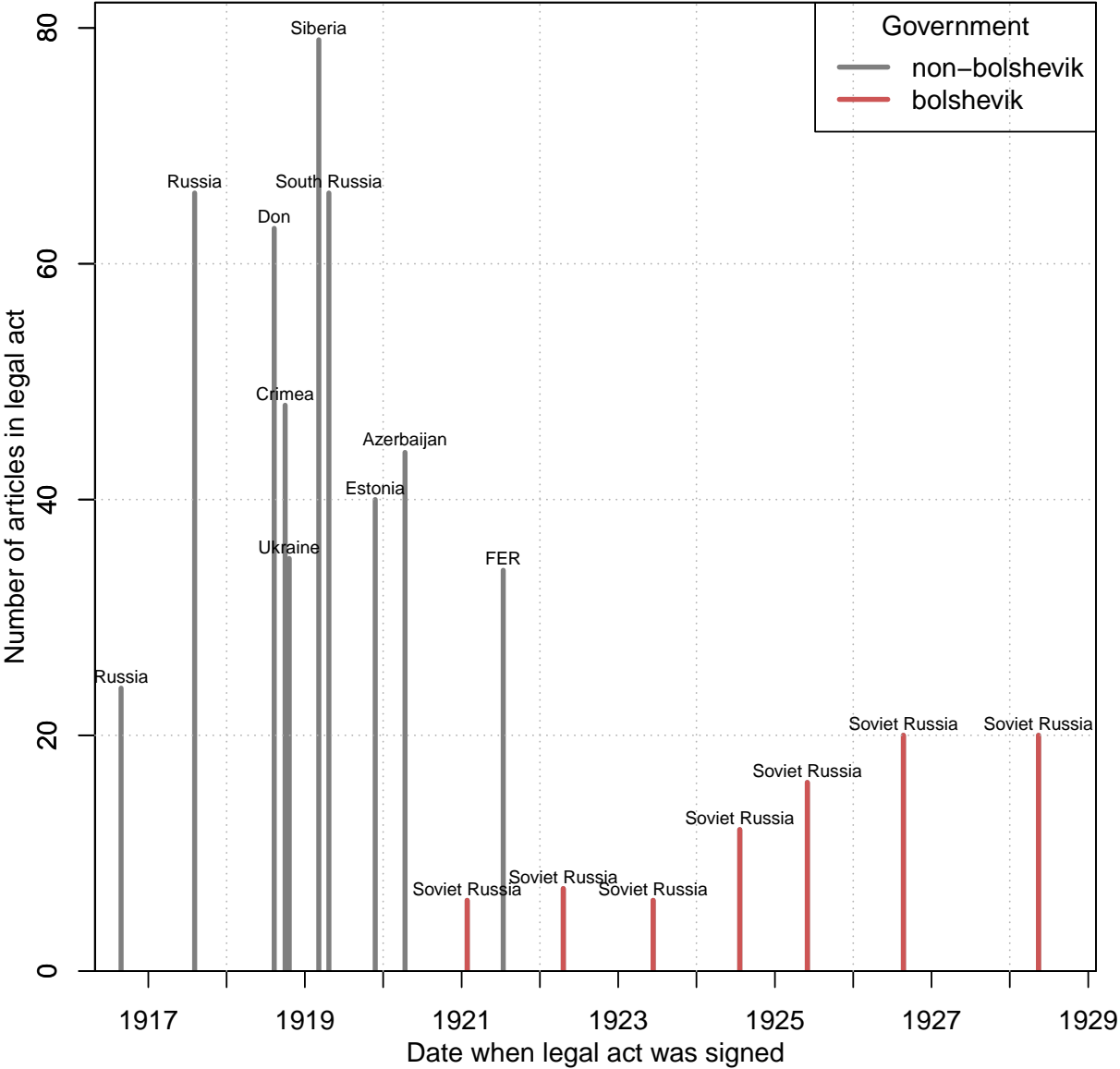


Figure 2: Allowed rent increases according to the law of the Russian Provisional Government

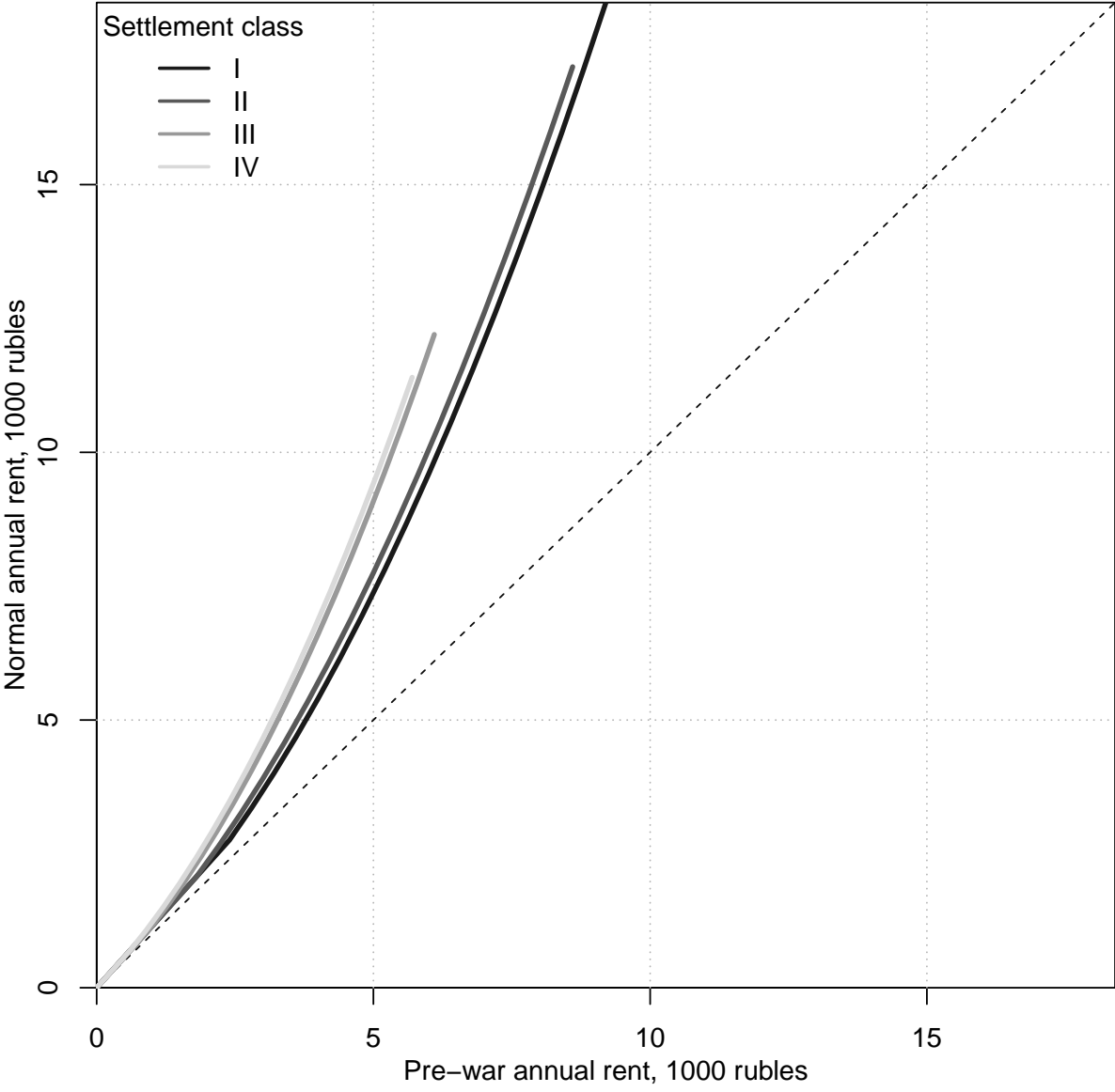
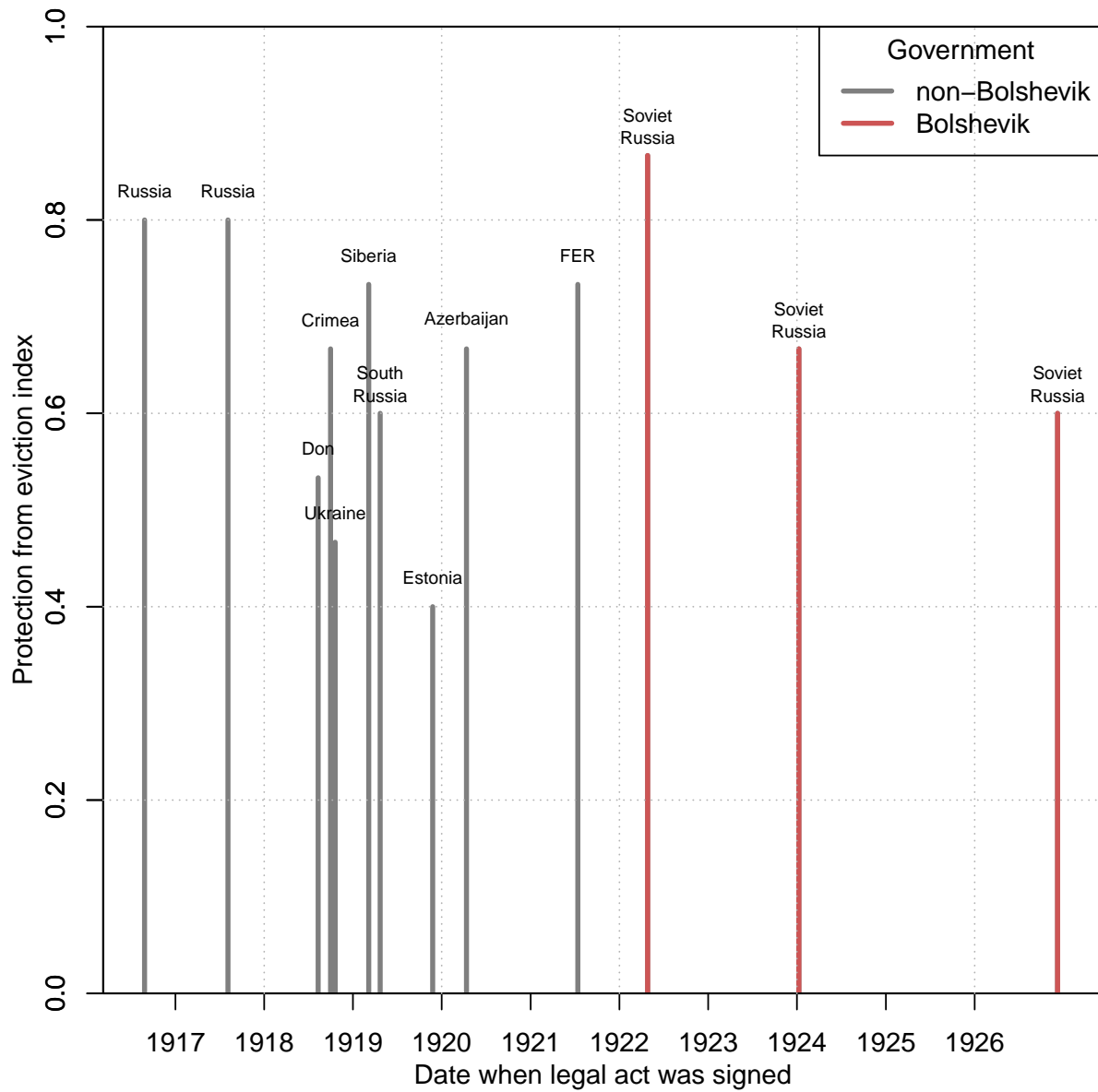


Figure 3: Index of protection from eviction, 1916–1924



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