

Wohnleitfaden der ÖH Klagenfurt/Celovec

Studying at university and growing up often bring along the desire to have a place for yourself. Unfortunately, the first apartment can often cause problems. In order to protect you against most of these, the ÖH Klagenfurt/Celovec provides a housing guide. AK Austria and Mietrechtsvereinigung serve as sources for this text.

1. Which housing options are there?

- **Dorms**

A dorm is open exclusively to students. There are different options that vary in cost. There are single rooms with a shared kitchen, single room apartments and shared apartments (WG). The rooms are furnished and the rent includes maintenance costs, heating, electricity, internet and access to a washing machine. The dorm sets the ground rules and the elected dorm representatives deal with proposals from students.

At the time being (July 2024), there are three dorms available in Klagenfurt. In order to get into one of them, you have to apply to the respective dorm. It is important to apply directly at the official dorm. Websites promising a place at a dorm, that are not official, usually do not operate professionally and are therefore not trustworthy. International students can apply for a dorm in Klagenfurt via the OeAD student housing website (<https://www.oeadstudenthousing.at/de/unterkuenfte/klagenfurt/>). The lease lasts 12 months (one dorm year). Freshmen can also apply for a 2-year lease. Dorm leases can be extended by a year but this must be announced until the end of February. Usually, the dorm management reminds students in time and informs them about the correct process. In order to be eligible for an extension, you have to prove your enrollment in university (Inskriptionsbestätigung) and provide positive grades that earned you at least 16 ECTS accreditation.

Resigning at the end of a semester is valid if made official until November 30th or April 30th respectively. Resigning prior to these dates is possible, given one of the following applies: military duty, transferring to another university, terminating your studies, pregnancy, caring for a close family member or unexpected social/financial misery.

- **Cooperative apartments**

Cooperative apartment are built by community housing and given to its members. In order to rent such an apartment, you have to become a member of the respective community.

- **Shared apartments (WG)**

There are three different types of shared apartments: 1. One person is the main tenant, 2. Multiple persons are registered as main tenants and 3. Lease for single rooms with the right to use community rooms.

- 1. There is only one main tenant**

The main tenant can sign a lease with the owners and then sublet parts of the apartment. As long as the main tenant lives in the apartment, the owner should not be able to prohibit subletting. The main tenant functions as landlord/landlady in regards to the subtenants and is responsible for the timely payment of the rent. It is suggested to establish an agreement with the subtenants to avoid problems. Subtenants have to oblige to the same rules as tenants. A limited lease lasts at least three years and a fee of 25 percent is included. Furthermore, termination restrictions according to tenancy law have to be considered - the (sub)tenant can only get out of a lease if their reason is stated in the law.

Subtenants can hardly claim various rights such as getting repair works done or the reimbursement of costs. Demands aimed at the owner can only be made by the main tenant.

When subletting in a shared apartment, you should establish a written contract with each person. This should be included:

- Rental agreement partner (main tenant = subtenant) by full name, date of birth and address
- Description of the rental object and furniture (“The room marked through red lines in the enclosed map is rented in *STREET NAME* apartment number *APARTMENT NUMBER* and presented to exclusive use. All other rooms, not marked, serve the propose of community use. All rooms marked in different colors are made available to other renters.)
- Inclusion of rules taken out of the lease regarding the use of garden spaces, laundry rooms, bicycle parking and other shared spaces.
- Date of the rental agreement

- Duration of the rental agreement. It can either be unlimited or limited to a certain amount of time. If the contract is limited, the date of termination should also be listed. The shortest duration is marked three years by law. A limited rental agreement is not allowed to last less than three years.
- If you have an unlimited rental agreement, you should set a deadline for termination of three months. This provides time to look for a subtenant.
- The rent that has to be paid by the subtenant in addition to a settlement on how these costs can legally change. You could be transparent in the contract and list each element of which the rent consists.
- Whether a deposit has to be made. If so, the payment method has to be listed.

Subletting the entire space can be prohibited in the lease. A violation of this can be reason for termination.

2. **Everyone is the main tenant**

A lease that refers to every person in a shared apartment as a main tenant has to be signed by everyone. With this, every party is equal in the lease. If one of the tenants were to miss rent, the landlord/landlady is entitled to choose one of the renters and demand the money. Whether this person is paid back by the one who missed rent, is of no concern to the landlord/landlady.

3. **Lease for single rooms with the right to use shared space**

Theoretically, the landlord/landlady can make each member of a shared apartment sign a lease for the explicit use of one room and the sharing of rooms like the kitchen, bathroom and hallway. Hence, every person living in the apartment is the main tenant in their respective room and is given the right to use the community spaces. The drawback here is, the tenants do not have a say in who moves into free rooms.

• **Private Housing**

Every person who is not the community or cooperative housing is referred to as private landlord/landlady, no matter whether it is a real estate agency with hundreds of apartments or one person owning no more than one.

Private housing is mostly advertised in postings online or in the paper. Location, size, rent and furniture is summed up. Pictures of the apartments are mainly included in online ads. If you find a

place you like, ask for further details and a date to look at the apartment. Mostly, these ads are handled by professional real estate agencies who work out the lease.

2. Dorms

- **Concordia**

Location: approximately 25 minutes to university by foot

Rooms: single rooms with a cooking space

Address: Hubertusstraße 5, 9020 Klagenfurt

Management: Salzburger Studentenwerk

<https://studentenheim.at/wohnheime/concordia-klagenfurt/>

Tel.: +43 (0) 662 93 03 00

E-Mail: office@sstw.at

Cost: single room: from 435€ per month

Completely renovated in 2010. Each room has a bathroom and toilet.

- **Studentendorf**

Location: next to Mensa (5 minutes from university)

Rooms: 170 single rooms

Address: Universitätsstraße 68, 9020 Klagenfurt

Management: Akademikerhilfe

<https://www.akademikerhilfe.at/de/studentendorf/9>

Tel.: +43 (0) 669 140 176 29

E-Mail: r.kollmann@akademikerhilfe.at

Cost:

Single room (13 sm): 413€

Single room (15sm): 436€

Completely renovated in 2022.

- **Nautilusheim A & Nautilusheim B**

Location: in front of the university (3 minutes)

Rooms Nautilusheim A: single and double rooms, community kitchen in the hallway

Rooms Nautilusheim B: single rooms connected with one or two others. 2 to 3 rooms share bathroom and toilets. Community kitchen in the hallway.

Address: Nautilusweg 11, 9020 Klagenfurt

<https://www.home4students.at/>

Tel.: +43 (0) 676 898 448 514

E-Mail: b.schiffrer@home4students.at

Cost: Nautilusheim A

Single room (without balcony): 406 €

Single room (with balcony): 413 €

Double room: 286 €

Accessible rooms on demand.

Cost: Nautilusheim B:

Single room (linked to one or 2 rooms): 369€-406€

Renovated and extended in 2010. Parking spaces available for rent.

3. Where do I find my apartment?

The university's digital message board offers lots of opportunities. As soon as you have your password to sign into your AAU account (<https://campus.aau.at/bb/>), you can access the notice board. You can register for the ÖH Klagenfurt/Celovec housing distributor using the digital notice board's post "Student accommodation/Unterkünfte für Studierende".

Announcements & ads in newspapers (Bazar,...)

Real estate search engines

willhaben.at

immowelt.at

immobilienscout24.at

wohnet.at

findmyhome.at

There is also the option of hiring a real estate agent. Since 1.7.2023, the person who hires the agency first, has to pay the commission. Renters pay commission when they are the first to hire an agent. In this case, the real estate agent has to find an apartment that all parties are unfamiliar with. Hence, the agent has to look for something new, not using one of the listings they already have. The commission is based on the duration of the lease.

➤ **The lease is unlimited or lasts longer than three years**

In this case, you pay double gross rent plus 20% sales tax at the most. According to real estate agents regulations, the gross rent consists out of net rent, maintenance costs and 20% sales tax. Heating costs are not added in apartments linked to tenancy law.

➤ **The lease lasts no longer than three years**

In this case, the real estate agent is only allowed to demand a single month of gross rent. Hence, it would be the net rent in addition to 20% sales tax. Heating costs are not added in apartments linked to tenancy law.

There are several real estate agencies in Klagenfurt, including:

- Russinov (<https://www.russinov.at/startseite.xhtml?language=AUT>)
- Willi Mann Immobilien (<https://www.wmi.at/wmi/html/>)
- Neuhauser Immobilien (<https://www.neuhauser-immobilien.at/>)
- All in One Immobilien (<https://allinone.immo/>)
- Igel Immobilien (<https://www.igel-immobilien.at/immobilie-kaufen/>)
- Immo Hoch2 (https://immo-hoch2.at/?gad_source=1&gclid=CjwKCAjwps-zBhAiEiwALwsVYRNaNJRjbvURZ4AknR5GdpvOHPWW5tE_8wzy1OFjyX9x_-Qx1LKGARoCyAsQAvD_BwE)
- Realitäten Perkonig (<https://www.realitaeten-perkonig.at/wohnungen-miete/>)

4. Important advices for the lease

Since there is not general right of withdrawal in a lease, the entire contract should be read carefully prior to signing it! Reasons for withdrawal can be agreed on, i.e. rejection of a visa.

- **Rental offer**

A rental offer is a contract proposal. It serves as a legal basis for all parties involved (landlord/landlady, tenants). If a binding offer is made, you are obliged to buy or rent the property under the agreed circumstances. The time frame is either specifically set or works with a deadline (14 days).

If the offer is accepted, the lease is valid. At this point, the commission has to be paid.

It is essential not to send out more than one rental offer at a time.

- **Payment in advance**

No payment has to be made prior to signing the lease! Even when a real estate agent is involved, the renter is not obliged to pay a sales commission.

- **Inspection & condition of the apartment**

It is essential to ask for all the bills you are required to pay while you are renting a place (electricity, water, maintenance expenses...)

While visiting the apartment, make sure to inspect its current state. Prior to signing a lease, every problem with the apartment should go on record. This protocol should also get signed by the landlord/landlady.

- **Deposit**

Often, a mandatory deposit has to be made, which serves as an insurance for the landlord/landlady. If rent is not being paid in time or the apartment is returned in poor condition, the landlord/landlady uses the money from your deposit. Sometimes it can be cut or raised without proper reason. If court gets involved in a disagreement, it is recommended to turn to ÖH for help. There is a fond dedicated to help students in such cases.

- **Contract expenses**

According to the Austrian Supreme Court, costs involved in the drafting of a lease are illegal as a contract and the related financial aspects in its creation are part of the landlord's/landlady's job and eligible to settle through maintenance costs.

- **Checking the lease**

Even if you are in desperate need of housing, you should not sign a rental agreement given to you without having it checked thoroughly. In case of any uncertainty, it is highly recommended to seek legal advice.

- **Extra Payments**

Sometimes landlords/ landladies demand extra payments for furnished apartments in order to give you the furniture. These can be inadmissible. It is recommended to bring someone to the apartment transfer who serves as a witness. The extra payment should only be dedicated to the furniture and never work as a payment for receiving the place. An inadmissible payment can be retrieved until 10 years later. District courts are responsible for such cases.

- **Contract duration**

In terms of rent, the minimum period of three years has to be taken into account. There is no maximum limit. Renewal of temporary rental agreements require another three year term. In case of a temporary lease, the main tenant or subtenant is entitled to terminate the agreement after a year, given that the notice of termination is handed in at the end of the month and three months before moving out, either in written form or delivered by court. Hence, the minimum duration of the lease is 16 months. These regulations are compliant with the Austrian tenancy law (MRG).

- **Protection against dismissal**

The tenant is protected against dismissal while renting an apartment. However, if court is involved and finds a pressing reason, your lease can be terminated. Furthermore, there is a special protection against dismissal for subtenants.

5. Mietzins

The (gross) Mietzins consists of

Main Mietzins

Maintenance costs

Heating costs

Community maintenance costs (elevator, laundry room,...)

Cost for rented furniture

VAT (10% for apartments, 20% for parking spaces, rented furniture and heating costs)

Rent is to be paid in advance until the fifth of each month.

Raising the Mietzins is only possible due to

Legal value assurance according to MRG

Agreement upon value assurance in the lease

Raised maintenance and heating costs

(Special cases: cost covering rent in WGG)

Rent can be legally raised multiple times a year!

Rent can be legally raised retroactively (up to three years)!

Annual bills of maintenance and heating costs have to be sent out until June 30th of the following year.

6. A tenant's rights and responsibilities

- **Rights**

- Sole right of use
- Right to all keys
- Right to the apartment's agreed condition
- Right to change the renting object
- Landlord's/Landlady's obligation to preserve the object

- **Responsibilities**

- Obligation to pay Mietzins
- Obligation to maintenance of the apartment's rooms
- Obligation to report damage
- Obligation to mitigate damage
- Obligation to tolerate

7. **Where to get help**

- **ÖH Housing**

This is your direct contact for questions regarding housing, located on campus of the University of Klagenfurt. We support students in finding adequate housing or refer to the appropriate institutions if detailed (legal) advice is necessary. Regarding questions on living in Klagenfurt, you can always write an email to oeht.wohnen@aau.at.

- **Mieterschutzverband**

This organization gives advice to members and represents them in issues regarding tenancy law. It does not matter whether you live in a privately rented apartment, community or cooperative housing. In order to claim these services, you have to pay for membership which lasts one year. office@msv-kaernten.at

- **Wohnrechtsberatung**

This ÖH service gives advice and intervenes free of cost to improve the living situations of students. For questions on lease, deposit, shared apartments, dorms, termination of a lease and other related issues please contact: wohnrecht@oeh.ac.at

- **Arbeiterkammer**

The Arbeiterkammer helps you with rights and responsibilities of tenants, controlling operating costs and leases. You can reach them from Monday to Thursday (1pm to 4 pm) under 050 477-2001 or via email: mietrecht@akktn.at

- **Mietervereinigung**

The Mietervereinigung offers legal advice on questions regarding rent and housing as well as legal representation. In order to claim these services, you have to buy a membership.

Contact ÖH:

oe.h.wohnen@aau.at