

## **Guidelines for the allocation of accommodation**

### **Preamble**

The task of the Studierendenwerk Bremen AöR (hereinafter referred to as "STW") is the economic, social, health-related and cultural support of students at those universities to which the Bremen Higher Education Act is directly applicable (see Section 2 StWG). The STW fulfils this task for example by providing and renting out accommodation in student halls of residence. The allocation of a low-cost accommodation place thus constitutes indirect state funding. Due to the small number of accommodation places compared to the total number of students looking for accommodation, the following allocation guidelines are intended to ensure, among other things, that state-subsidised accommodation can be made available to as many students as possible by means of the rotation principle. This means, for example, that the total period of residence ("residence term") must be limited.

Insofar as reference is made to the Federal Training Assistance Act (BAföG) below, this applies regardless of whether a person actually receives training assistance under BAföG or not.

Every applicant acknowledges these guidelines by submitting the application for accommodation.

### **§ 1 Eligibility for accommodation**

1. Students enrolled in a regular degree programme at the University of Bremen, the Bremen University of Applied Sciences, the Bremen University of the Arts and the Bremerhaven University of Applied Sciences who register their main residence in the state of Bremen in accordance with registration legislation at the latest when they move into a student residence are eligible for accommodation. Proof of this registration of the main residence must be submitted to the STW on request.

2. Students whose monthly net income exceeds 1 1/2 times the respective BAföG maximum rate for students will only be admitted to a student residence if there are no other applicants and none are expected at the beginning of the coming semester.

Net income includes all income that accrues to students regularly or in a certain period of time. This includes, in particular, any income from employment, capital and transfer (e.g. BAföG, child benefit, (half) orphan's allowance, etc.). In this respect, financial support from relatives (e.g. parents), payments from blocked accounts in the visa process, etc. are also part of net income.

3. The tenant is obliged to provide proof of eligibility for accommodation, without being asked to do so, when concluding the contract, when extending the contract and at the change of semesters by submitting a certificate of enrolment valid for the current training period; this certificate must show the subject of study, the respective semester and the intended degree.

In the event of a semester change during the term of the contract, the tenant is obliged to submit a certificate of enrolment to the landlord without being asked to do so by 30.04 and 31.10 of each year at the latest. If this is not done even after a request ("reminder") has been made in connection with a deadline, the tenancy can be terminated for good cause by the landlord without notice in accordance with Section 543 of the German Civil Code.

4. If there are doubts about the tenant's eligibility for accommodation or the requirements for the tenant's preferential admission in accordance with no. 2 above, the landlord is entitled to demand further evidence from the tenant. In particular, the landlord may require tenants for whom there are indications of the existence of reasons pursuant to no. 2 to credibly demonstrate the continued existence of their eligibility for accommodation or the requirements for preferential admission by means of suitable evidence.

5. The tenant is obliged to inform the landlord immediately if his/her eligibility for accommodation ceases to exist.

6. Irrespective of the existence of the above-mentioned requirements, the following circumstances preclude eligibility for accommodation:

- non-submission of the required proof of enrolment, income, etc. or late submission of the same
- prior termination of a tenancy by the STW
- an exclusion order served by the STW
- residence in student accommodation without a valid tenancy agreement or without the consent of the STW
- illegal (sub)letting or provision of a student accommodation place during another (e.g. previous) tenancy with the STW
- non-payment of the rent during the tenancy(s) and/or payment not in accordance with the agreement
- outstanding rent or other financial liabilities vis-à-vis the STW
- conduct in breach of contract vis-à-vis the STW, e.g. by violating the General Terms and Conditions of Rent, the House Rules or the Fire Protection Regulations
- application for further undergraduate studies (e.g. a second bachelor's degree) after completing a first, undergraduate degree (e.g. bachelor's degree), or a further degree programme after completing a master's degree
- other, serious reasons

7. There is no legal entitlement to the allocation and provision of accommodation (even if illegibility for accommodation exists).

## **§ 2 Application procedure**

1. Applications for an accommodation placement can only be submitted online via the [www.stw-bremen.de](http://www.stw-bremen.de) homepage. Each applicant may only submit one accommodation application. The creation of multiple user accounts is not permitted. The online application is non-binding, free of charge and does not establish a legal claim to a place in a student residence. The applicant holds sole responsibility for the completeness of the application. Incomplete applications will not be considered.
2. The information in the application must be complete and correct. Any changes – especially to the email address – must be communicated immediately by the applicant, otherwise notification of a free place is impossible.
3. After submitting the online application, the applicant will receive an automated email in which the applicant can once again verify the personal data and amend it if necessary. The email contains a link. To activate the application, this email must be confirmed via the link. Otherwise, no further processing will take place.
4. The applicant will receive an enquiry from the STW at regular intervals by email as to whether they wants to maintain their application. If the application is to be maintained, they must confirm the link contained in the email within the period specified in the email. If this is not done, the application will be automatically deleted, as the STW will then assume that the applicant currently no longer needs accommodation with the STW. There will be no separate notification of the deletion. Reactivation of the application is excluded.

## **§ 3 Allocation procedure and resident structure**

1. The STW shall decide on the allocation of accommodation places on the basis of the application pursuant to Section 2. The allocation is made by the Housing Department exclusively to persons eligible for residence in accordance with Section 1. If the demand for accommodation places in the halls of residence exceeds the number of places available for allocation, waiting lists will be maintained. Information about the current place on the waiting list cannot be provided.
2. The allocation of vacant accommodation places should generally be made according to the chronological order of receipt of the complete accommodation application. Furthermore, it is intended that allocation is as far as possible in the ratio of bachelor's and master's students at Bremen's universities. This is also to take into account the fact that the housing offered by the STW is aimed in particular at first-year students pursuing a first degree ("start support").
3. The STW reserves the right to deviate from the above-mentioned allocation criteria or the waiting list in individual cases when allocating accommodation places in order to ensure the creation and maintenance of the most balanced economic, social and cultural conditions possible and to promote integration. When allocating housing, the STW also takes into account the fact that international students face a difficult situation on the private housing market.

In the resident structure, therefore, the aim is to achieve the most balanced relationship possible between national and international students, the sexes and a cultural diversity of different nationalities in relation to the respective accommodation complex.

4. Irrespective of the allocation criteria mentioned under 2, the following groups of persons, on proof of availability ("hardship cases"), will be given preference in the allocation of accommodation places:

- severely disabled students or students treated as such within the meaning of Section 2 SGB IX; proof must be provided by presenting an appropriate ID
- single parents with child(ren) for suitable apartments

In the case of hardship applications, a case-by-case examination and decision is undertaken at the STW's dutiful discretion. It must also be taken into account that the STW only has a limited number of suitable apartments for severely disabled people and single parents, so that considerable waiting times can result. The same applies to family apartments. It is also a prerequisite that all persons of legal age living in the same household as the child or children must be enrolled. The details are to be agreed individually with the STW.

5. The STW may provide the higher education institutions with room contingents for the accommodation of students from partner universities, exchange, cooperation and mobility programmes, etc. The STW also decides whether the selection of students who are accommodated within the framework of such quotas is made by the STW or the respective university.

#### **§ 4 Grounds for exclusion / forfeiture of the application**

The application for an accommodation place will be deactivated and the applicant will be removed from the waiting list in the following cases:

- Applications from students who are not eligible for residence
- Applications with incorrect and/or incomplete information
- Several applications from the same applicant  
(e.g. one person setting up several user accounts under different email addresses)
- Failure to confirm the emails in accordance with Section 2
- Failure to accept or reject an offer of housing in due time
- Failure to submit documents on time

#### **§ 5 Rotation principle and limitation of residence term**

1. The rental period results exclusively from the concluded rental agreement. The written form requirement applies to the rental agreement, so that the rental agreement is only concluded with the signature of the STW. Fixed-term leases (usually for a maximum of 24 months) are concluded in each case. The tenancy therefore ends with the expiry of the respective fixed-term tenancy agreement or by termination.

For details, reference is made in particular to the rental agreement, the General Terms and Conditions of Rent and the House Rules.

2. A distinction must be made between the respective rental agreement and the maximum total period of residence ("residence term"). The total residence term is the sum of the terms of all fixed-term leases for one person. Due to the rotation principle, the total residence term in all student halls of residence managed by the STW is limited. It usually ends for all students after 36 months, including all rental periods in the STW and regardless of the duration of their studies. The requirements for eligibility for accommodation must be met throughout the entire residence term. There is no legal entitlement to the student receiving rental contracts for the total residence term of 36 months.

3. In particular, the tenant will not receive a new lease offer regardless of the total residence term if they are not (or no longer) eligible for accommodation (see Section 1 and in particular the reasons mentioned under Section 1 no. 6) or if a lease agreement has been terminated.

4. An extension of the total residence term by a maximum of 6 months can only be made by the STW upon written application, which must have been received by the STW at least 2 months before the end of the tenancy agreement (limitation period), in the case of tenants who:

- a) are in the imminent (within a maximum of 2 months after the contractual end of the rental period) final part of the examination procedure of their studies at the time of the expiry of the contract and prove this by a certificate from the department and/or the examination office  
or
- b) actively participate in one of the legally provided committees or statutory bodies of the university/college, the student body or the student union (e.g. administrative board) for at least one year  
or
- c) would be unreasonably burdened by having to move out (e.g. occurrence of an acute, serious illness) and can prove this

Financial reasons and/or difficulties in finding accommodation on the housing market do not constitute an unreasonable burden. Irrespective of the existence of the reasons under a)-c), no extension will be made if they are not (or no longer) eligible for accommodation (see under Section 1 and in particular the reasons mentioned under Section 1 no. 6) or if a lease agreement has been terminated.

There is no legal entitlement to an extension of the residence term, even if the criteria mentioned under a)-c) are met and proven. Rather, each application represents a case-by-case decision that the STW makes at its dutiful discretion.

Bremen, 31 March 2025

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