

Bremen residential and care supervision

If you have questions and/or want to complain about a facility for older people, for people with disabilities and for people with mental illnesses and addictions in Bremen and Bremerhaven, then contact the team of the Bremen Housing and Care Supervision!

Also, if you do not find sufficient answers to suggestions or complaints in a facility, you can also contact the Bremen Housing and Care Supervision.

Competent Department

- [Die Senatorin für Arbeit, Soziales, Jugend und Integration | Pflege, Heimrecht, Wohn- und Betreuungsaufsicht](#)

Basic information

The Bremen Housing and Support Supervision ensures that legal quality standards are met and that the needs and interests of residents are taken into account by providing advice, monitoring and, if necessary, issuing regulatory orders.

The Bremen Housing and Support Act (BremWoBeG) obliges the Bremen Housing and Support Supervision to inspect housing and support services once a year. This is done regardless of whether there are complaints or other indications of deficiencies.

More than half of the audits take place unannounced.

The BremWoBeG describes the most important requirements and quality standards to be met by operators and the basic rights of residents in housing and support services.

Further fundamentals are the BremWoBeG ordinances on.

- Staffing in residential and support offers
- Quality and safety of buildings and living spaces in residential and support offers
- Representation of the interests of residents in housing and support services.

If complaints are brought to the attention of the Bremen Supervisory Authority for Housing and Support, it also examines whether the legal requirements are being met outside of the annual inspections. If corresponding deficiencies are found, the Bremen Housing and

Support Supervisory Authority imposes binding requirements on the operator to eliminate these deficiencies.

Requirements

none

Procedure

Legal bases

- [Die häufigsten Fragen zum BremWoBeG](#)
- [Bremisches Wohn- und Betreuungsgesetz](#)

What deadlines must be paid attention to?

none

What are the costs?

none

Frequently asked Questions

• Do all senior living communities fall under the law?

No, there are several conditions that must be met for a senior living community to be covered by the law:

- It is independent of the change and number of residents, i.e. there is a fixed number of places in the community. When someone moves out, someone moves back in.
- The majority of the residents are in need of support and collectively accept the corresponding support services.

• But it does say in the law: if only one person is in need of care, the facility falls under the law

This only applies if the landlord determines which care service this one person must have cared for. This only occurs in "carrier-controlled housing forms" (§6) and "nursing and care facilities" (§7), and not in self-organized housing forms.

- **Do all shared housing arrangements in which individuals receive care fall under the Act?**

No, many shared housing arrangements do not fall into this category. Private living arrangements in which the majority of the residents are not residents are cared for by the same care service and in which people are completely free to choose their care service, are not included. Nor do those that are self-organized and dissolved when the residents leave. This means that such residential and house communities, such as that of former mayor Dr. Henning Scherf, are not affected.

Affected, however, are nursing home communities that continue to exist when the residents change. These are usually the supportive residential communities offered by a sponsor (association, foundation, federation, company or similar).

- **If in a shared flat the residents gradually need care until the majority is cared for, does the shared flat fall under the law?**

No. The private support or care situation does not fall under the law in most cases. It does, however, fall under it if the support and the living are contractually connected. In this case, the resident's choices and decisions are limited.

In the case of self-organized residential communities that meet the above conditions, but where support and housing are not contractually linked, the agreements or contracts are only reviewed at the beginning. This is to be able to distinguish the self-organized from the carrier-controlled forms of housing. To protect the residents, labeling fraud is prevented.

- **Is assisted living for people with disabilities covered by the law?**

No, this type of assisted living is excluded from the scope because it is typically a single-occupancy living arrangement and the living and support services are not contractually linked.

- **Is service living inspected annually by the home inspectorate?**

The freedom to choose special support and care services is checked once on the basis of the contracts, and thereafter only in the event of contract changes. There are no checks in the apartments, in the common areas only if there is cause to do so.

- **Does the law bring obligations for the residents of self-organized WGs and service living?**

No, it only brings information obligations for the providers, for the service providers. The residents have the benefit of it.

- **Is bureaucracy hindering new forms of housing?**

No, the law protects new forms of housing and their residents and prevents labeling fraud. No one is prevented from setting up a shared apartment, service living or any other form of assisted living. Those who have nothing to hide from the residents need not fear transparency. These forms of living will not become more expensive as a result of the law.

- **Why are residential communities and service living not generally excluded from the scope of application?**

A variety of offerings have emerged that combine housing and support. This diversity is good. But for the residents, dependencies arise, for example, if they cannot freely choose the care service. In recent years, residential communities and service living with home-like structures have also emerged. This can lead to labeling fraud, which makes it difficult for residents to know where they stand.

- **Have residential communities in Bremen already been inspected by the home supervisory authority?**

Yes, even under the old Federal Home Act, it was possible to a limited extent to check residential communities to see whether they fell under the Home Act. Some of the housing communities controlled by the home operator, from which there were complaints from residents, were checked to see whether freedom of choice was really guaranteed.

- **Will the skilled worker quota be maintained?**

Yes, the specialist quota of fifty percent remains in place in nursing and care facilities. The home supervisory authority checks compliance.

- **How are homes (now: "nursing and care facilities") inspected?**

Nursing and care facilities are inspected annually by the home supervisory authority. As a rule, registered and unregistered inspections are carried out alternately. However, if there is reason to do so, e.g. in the case of certain complaints, the

inspection is always unannounced. The MDK also inspects the nursing and care facilities annually.

- **Does the home inspectorate publish its inspection reports?**

The test reports themselves cannot be published for data protection reasons. But results of the reports are to be published in the future. This is to take place in generally understandable language. Comparison options will benefit residents and relatives when selecting homes.

- **Why does the home supervisor have control and at the same time advice of the homes to the task?**

Many providers of offers need professional advice and are themselves happy to remedy deficiencies with a little assistance. Often, advice is also needed after an inspection, when deficiencies have come to light.

And: not everything that needs to be improved in housing and support services is a violation of the law. In this case, the home supervisor can only help by providing advice.

- **Will the home supervisory staff be sufficient in the future?**

It is sufficient for the current tasks. The staffing level of the home supervisor must be reviewed regularly in relation to the tasks and the number of homes. In 2007 and 2008, the staff of the home supervisor was increased.

- **Do civic engagement in homes and neighborhood openness lead to higher costs?**

Many homes open their houses to volunteers, offer meeting rooms to groups of volunteers, organize lectures, cultural events and festivals, cooperate with kindergartens, etc. They have been doing this for a long time and independently of the law, without it costing them much money. Homes that don't yet do this can learn from it.

- **Are residents inconvenienced by commotion when houses open?**

For most residents it is a pleasure when the houses are not cut off from life in the neighborhood, when volunteers come to the house, when the singing of a children's group is welcome. If there is really harmful unrest and noise pollution, a solution can certainly be found, for example, with the help of the residents' interest group.

There are experts working in the home supervision. They do not allow anything that could be a nuisance for the residents.

- **Will home participation be facilitated?**

Yes, the participation of external volunteers is facilitated if there are only a few or no suitable persons among the residents in the home for the residents' council. The new law contains clear provisions for the representation of residents' interests.

- **Why doesn't the agency ban the construction of more and more nursing homes?**

There is an oversupply of nursing home places in Bremen and Bremerhaven. But the number of nursing home places is not centrally planned and controlled; instead, there is market activity with many providers. The law on nursing homes can be used to impose conditions for proper operation, but not to ban or prohibit the operation of nursing homes.

- **Why does the new law have more paragraphs than the old Home Act?**

In the past, a distinction was only made between "outpatient" and "inpatient," between "at home" and "in a home. But the range of living arrangements has become more diverse. The new law takes this into account and does justice to the individual forms of housing without lumping them together.

In addition, care has been taken to ensure that each type of housing has its own heading, i.e. its own paragraph. This makes the law easier to understand.

- **Is it not possible to formulate the law in a more understandable way?**

Compared to some other state home laws, the BremWoBeG is formulated in a comprehensible way. However, because it must be formulated with legal precision, it is still complicated. Non-lawyers may find it helpful to consult the explanatory memorandum to the law if they are unclear.

The authority will explain and clarify the law with simplified presentations, brochures and events after the resolution has been passed. There will also be a presentation in easy language. There will be special information events for the home advisory boards.