

Social and Economic Reasons for Crimes in the Sphere of Housing and Communal Services

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Abstract.

The paper considers in detail the social economic causes of crime in the housing and communal sector. Analyzing the tariff system that currently exists in the housing and communal sector, it should be noted that, on the one hand, it reduces social tension in society, and on the other hand, it makes the housing and communal area the most attractive for the criminal sector. In this connection, the article substantiates the method of restraining tariff growth in this sphere. In addition, the problems of the careful use of resources (electricity, gas, oil), which will reduce the level of social tension in society, are raised. The authors consider the problems of charging and paying utility charges, conclude that the level of wages and unemployment affect the timeliness and completeness of payment of utilities in the housing and communal sector.

Keywords: economy, crime, prevention

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1. Introduction

Today, crime in the housing and communal sector is constantly increasing. In order to actively prevent it, it is necessary to identify the social nature and conditionality of this type of crime and analyze its economic components.

In this regard, the main purpose of the study is to identify the social and economic conditionality of crimes in the housing and communal sector.

2. Body of paper

Methods

To achieve the stated aim, the general scientific and dialectic method of cognition was used, which allowed to identify the social and economic roots of crime in general. When writing the article, we also used specific scientific methods (the logical and legal methods were used in the disclosure of the concept and essence of crime; the criminal legal characteristics of these criminal acts, the analysis and synthesis method were used to summarize theoretical and practical material), and statistical and sociological methods were necessary when studying extensive judicial practice.

Housing and communal services is a socially oriented sector of the economy. A significant part of investments in this area comes from budgets of various levels. The annual turnover of the housing sector in 2017 was 4.7 trillion roubles, which is 5.4 GDP (<https://docviewer.yandex.ru/view/446043157/>). In this regard, there should be constant state control over the targeted spending of budget funds. In addition, the state should pay special attention to the activities of management companies, HOAs, as well as the development of tariffs in the housing and communal sector.

The pricing policy in the housing and communal sector is a mechanism of interaction between producers, consumers and the state, which subsidize the missing expenditure items of the industry. The problem is complicated by the fact that before the state kept tariffs in check, and therefore, they were small amounts for the population.

With the development of social policy and the emergence of a market economy, a significant part of utility charges fell on the shoulders of homeowners, and today it has become approximately ½ of the population's income. This is explained by the fact that tariffs in the housing and communal sector are set by the state.

If they sharply increase, for example, by 20-30%, then the management company must pay on time funds to resource organizations in a new, increased amount. The management company must collect these funds in a timely manner from the owners of the facilities. However, in accordance with the legislation of the Russian Federation (Approval of indexes of changes in the size of utility payments by citizens on average for the subjects of the Russian Federation for 2017), utility charges of citizens can be increased only by 5-10%, respectively, the housing and communal sector is turning from commercially attractive to unprofitable. In this regard, there is a need for subsidies from the state and municipal budgets.

The increase in tariffs adversely affects both the housing and communal sector and the pockets of utility payers; especially in an economic crisis, when many citizens become insolvent due to unemployment or low wages.

With a detailed review of the tariff setting process, we can say with confidence that the tariffs in our country are absolutely unreasonable. So, for example, the cost of electricity is kilowatt / hour is 30-70 kopecks. However, these services are provided to the public with an overstatement of 7-10 times. So, the heat supplying organization appealed to the court against the Tariff and Price Policy Department of the Oryol Region with a lawsuit on recalculation of tariffs for thermal energy supplied to residents of Dolzhansky district. The plaintiff considered that this order violated the rights and legitimate interests of the company. Oryol Regional Court satisfied the claims of the company.

“The court has concluded that the contested tariff is economically unreasonable, since the regulatory body did not include the economically justified expenses incurred in 2015 in the necessary gross proceeds of the central branch of the company in 2017, did not fully take into account the uncontrolled expenses of previous years, but the tariff for 2018 unjustifiably made an adjustment to labour costs and contributions to state extra-budgetary funds, which contradicts the regulatory legal acts of greater legal force,” the court decision said.

Taking into account all the established circumstances, the court declared the tariffs for heating energy invalid from July 1 to December 31, 2017 and from January 1 to June 30, 2018 in the amount of 1866.75 rubles (excluding VAT) and 2202.77 roubles (including VAT); and from July 1 to December 31, 2018 in the amount of 2079.30 rubles (excluding VAT) and 2453.57 roubles (including VAT).

The court ordered officials to recount the tariff and make it economically feasible.

The decision of the regional court was appealed to the Supreme Court of the Russian Federation, but upheld (http://newsorel.ru/fn_366381.html).

On the one hand, the validity of the tariff system of the Russian Federation will solve many problems of interaction between the state and the population, and on the other, the problems of tariffs in the housing and communal sector will become most attractive to fraudsters and corrupt officials.

Currently, tariff manipulations are observed at the federal, regional, and local levels. As a rule, the government’s promises to “freeze” tariffs are replaced by sharp jumps and growth.

Thus, in 2013, tariffs in the country increased by 200-225%. Such incidents were recorded in Murmansk, St. Petersburg, Chelyabinsk region, etc.

The state’s reaction to the “communal crisis” was manifested in limiting tariff growth to 6% among the built-in stabilizers; it is necessary to highlight:

1) The lack of objective and effective methods of tariff formation. In this case, investors are afraid to risk investing money, since the next increase in tariffs may lead to population’s insolvency for utilities;

2) The absence of guarantees from the state on the implementation of subsidies in the housing and communal sector;

3) High accounts payable to the management company.

Reducing the costs of housing and communal services organizations in housing and communal services should favorably affect the cost of the services provided. This will allow managing companies to increase their profits.

Repeatedly in the State Duma of the Russian Federation, bills on tariff restrictions in the housing and communal sector were introduced, but not one of the bills was adopted. This is because the increase in tariffs directly depends on rising prices for electricity, gas, water, etc.

In this regard, one of the mechanisms for regulating the growth of tariffs for housing and communal services is the application of the method to calculate the maximum percentage of tariff growth in the federal subjects of Russia.

This growth is calculated as follows: the planned growth of information for the next year (in %) is taken, the tariff growth coefficient, which is set by the Government of the Russian Federation for certain years (in %), is added to it. It gives a percentage for which the tariff in a given year can grow as much as possible.

In addition to keeping tariffs at a certain level, it is necessary to save resources in the housing and communal sector. Moreover, not only the consumer should save, but all resource enterprises and management companies as well.

Moreover, it is necessary to modernize utilities (to update, for example, the system of garbage removal from residential buildings, to install a motion sensor in order to save energy, etc.); this will also minimize costs in this area and increase its commercial attractiveness.

The problems of the crisis state of housing and communal services are also caused by large debts in this area. The reasons for this debt are:

1) Citizens' deliberate non-payment for the consumed services (for example, the owner purchased an apartment in an apartment building. But he does not live in it. He does not receive receipts because he lives at a different address, and from his point of view, it is not necessary to pay utility charges for the apartment on time. The situation may change in a case: if he is going to alienate this apartment, then it will be necessary to pay off all existing debt at the time of the transaction. However, from the purchase of an apartment to its alienation, a sufficient amount of time may pass during which the debt will be made.

Another example of debt accumulation is non-payment of utilities due to a difficult financial situation, non-payment of wages, unemployment. When, due to objective reasons, the owner of a dwelling cannot pay current utility charges, debt begins to develop.

2) Untimely installation of meters for electricity, heat, water. The initiators of this are the municipalities that previously monopolized these services. Currently, the deterioration of networks in apartment buildings and enterprises is great. Accordingly, the services are provided of inadequate quality, the population does not want to pay for poor-quality services (for cold in homes, for interruptions in the transmission of electricity and water, etc.). Debt is made, which is beneficial to municipalities, as they hope to receive investments and subsidies. If municipalities do not receive infusions into the budget from outside, then the accumulated debt is distributed by the owners of residential premises.

Thus, it is necessary to justify the amount of tariffs in utility charges so that the owners of the premises know in detail what they are paying for and what amounts.

3) Imperfect of the tariff policy, constantly overstating tariffs without legal justification. Owners of residential premises are not willing to pay monthly changing utility charges.

4) Innovations in the sphere of utility payments are also the reasons for the formation of debt in the housing and communal sector.

Besides, according to the law, if utility charges are paid via banks, then a commission is charged, so most of the population pays via a post office; however, in the days of paying utility charges, there are large queues at post offices.

All this contributes to the postponement of payments for a more favorable period, as a result of which debt is made.

All the above reasons develop not only the debt in the housing and communal sector, but also social conflicts and tension in society. The positive is that differentiated tariffs and utility charges have now been introduced to resolve these conflicts. For example, a social norm is established for which the tariff is lower than for consumers of resources beyond the social norm.

So, in 2013, they tried to introduce a social norm for electricity – the limit of monthly energy consumption, which is paid, as now, at a reduced rate, and the increase in the tariff for excess kilowatt hours. In seven pilot regions (including Oryol Region), the norm was set at 50-190 kWh per month per person, from July 2014 it was supposed to start functioning all over the country. But in January 2014, the reform was postponed for two years (including due to mixed results), and by 2016 it was no longer remembered.

They touched upon the issue about social norm again in the summer as part of a discussion of cross-subsidization problems – raising prices for some consumer groups in order to lower tariffs for others. Then the Ministry of Energy estimated the volume of the “intersections” in 2017 at 368 billion roubles, and by 2022 – at 417 billion roubles. (<http://rosinformburo.ru/2018/10/07/b>).

Results

Thus, all of these social economic problems in the housing and communal sector make it attractive to the criminal sector. In addition, the absence of a state concept of ensuring the security of housing and communal services reform processes, which is adequate to the social realities, legally entails an increase in the number of crimes in the indicated and related sectors of the economy and significantly aggravates social tension in society (Bystrova, 2017).

The following causes of crime in the housing and communal sector can be singled out: unreasonable increase in tariffs, “non-transparency” of utility payments, corruption component, latency of crime in this area, as well as the lack of effective methods for investigating crimes in the housing and communal sector.

To reduce crime in the housing and communal sector, it is necessary to carry out a number of the following measures affecting the socio-economic sector: to strengthen state control over budget spending in this sector; to develop a unified tariff policy in the field of housing and communal services: to justify economically tariffs and other utility payments, as well as introduce differentiated tariffs, thereby reducing social tension in society; to subsidize utility payments from budgets of various levels; to control the saving of resources used in the housing and communal sector. In addition, the government needs to find compromises between homeowners, service providers and management companies.

The elimination of the revealed reasons of crime in the housing and communal services will help to relieve social tension in society, and also allow the state to provide the population with better services in this area. Only under such conditions can a socially-oriented housing and communal sector become profitable and interesting for investors, as well as unattractive for the criminal sphere.

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3. Conclusion

To reduce the crime rate in the housing and communal sector, the state needs to find a compromise between homeowners, service providers and management companies. Striking this balance will allow the state to provide the population with better services in this area.

The conducted study helped us to formulate some recommendations.

In order to reduce crime in the housing and communal sector, it is necessary:

- to strengthen state control over budget spending in this industry;
- to develop a unified tariff policy in the field of housing and communal services: to economically substantiate tariffs and other utility payments, as well as introduce differentiated tariffs, subsidize utility payments from budgets of various levels;
- to control the saving of resources used in the housing and communal sector.

References

- [1] Online resource available: <https://docviewer.yandex.ru/view/446043157/> (Date of access 12.12.2019). (in Russian)
- [2] Order of the Government of the Russian Federation of November 19, 2016 N 2464-r “Approval of indexes of changes in the size of utility payments by citizens on average for the subjects of the Russian Federation for 2017”, *Reference Legal System ‘ConsultantPlus.’* (in Russian)
- [3] Online resource available: http://newsorel.ru/fn_366381.html (Date of access 12.12.2019). (in Russian)
- [4] Online resource available: <http://rosinformburo.ru/2018/10/07/b> (Date of access 12.12.2019). (in Russian)
- [5] Bystrova, Yu.V. (2017). *Crime in the of housing and communal services sector* (monograph), Moscow. (in Russian)