

Residence Order pursuant §12a Aufenthaltsgesetz (AufenthG)][Residence Act] Short version (2017-07-23)

After the Integration Act was passed in 2016 all refugees with a positive status (granted asylum, refugee status or subsidiary protection) in Baden-Württemberg (i.e. allowance to stay in Germany) receive a Residence Order about the town or community where they have to live in. (§12a of the Residence Act)

Who does not fall under the new Residence Order?

- refugees without decision about their application from BAMF
- and
- all persons that have a job with minimum 15 hours work per week, 723 € net income and have social security
 - all persons that have started a professional training or will start one soon
 - all persons who study at a university or are in an apprenticeship

Attention: The residence order will not be taken back when the town/village where you live is the same as the town/village where you will work. Further information on the residence order can be found at www.integration-landkreis-sha.de

What are the steps of the Residence Order?

- Person concerned receives decision by BAMF with status accepted refugee, accepted asylum seeker or subsidiary protection (means allowance to stay from 1 to 3 years)
- Person concerned applies for identification papers **at the appropriate Ausländerbehörde (ABH)**. Decision of the BAMF has to be presented.
- **Appropriate Ausländerbehörde checks**, whether concerned person is subject to the Residence Order or not (so called Hearing 1)
- Concerned person receives so called **Temporal Papers** with preliminary Residence Order for the place he or she lives at the moment.
- Appropriate Ausländerbehörde informs the Landkreis about the concerned person so that the Landkreis can find the community or town for the permanent Residence Order.
- Concerned person receives a letter from the Landkreis (LRA) with a ‚hearing form‘. In the ‚hearing form‘ **he or she can give reasons why he or she should live in a certain town or community**. (so called Hearing 2)

- *Questionnaire for the 2nd hearing*

- **From this day concerned person is allowed to look for own flat in the allocated town/community.**

- **‚Hearing form‘ must be given back to the Landratsamt within 14 days (post or personal delivery)**

- **Concerned person receives an information letter.** The Landkreis informs the concerned person that he or she is allocated to a certain town or community and will receive a Residence Order for said town or community. This letter is simply an information and allows the concerned person to start looking for a flat.

Alternative 1: Concerned person finds a flat:

- Consulting with Job Center whether flat is in accordance with JOB Center rules. Mietbescheinigung (rental information form) by the Job Center has to be filled out by owner. When Job Center gives okay, lease agreement may be signed.
- **(in case electronical residence permit has not been given out) Apply for change of Temporal Papers** at appropriate Ausländerbehörde (with address of flat). Lease Agreement has to be presented.

Alternative 2: Concerned person does not find a flat:

- Until the electronical residence permit (eAT, elektronischer Aufenthaltstitel) is handed over by the appropriate Aliens Authority (Ausländerbehörde) concerned person is allowed to stay in Gemeinschaftsunterkunft (flat provided by Landratsamt) **Allocation** of a by appropriate community/city. This is the so called *Anschlussunterbringung*.
- Concerned person may of course continue to look for better flat.

Electronical residence permit

Appropriate Ausländerbehörde will inform concerned person, when he or she can get the electronical residence permit. After this the procedure is finished. The Residence Order has a duration of maximum three years.

Important addresses and places where you can get advice:**Flüchtlingsbeauftragte des Landkreises Schwäbisch Hall,
(Commissioner responsible for refugees in the Landkreis Schwäbisch Hall)**

Frau Marina Köhler

Tel. 0791 755-7438, marina.koehler@lrasha.de

Frau Köhler asks everybody to contact her personally if there are questions or difficulties.

Local authority (Landratsamt, LRA)

Landratsamt Schwäbisch Hall, Münzstrasse 1, 74523 Schwäbisch Hall

Section „Administration of accommodation and Asylum law“:

Frau M. Riedel (Tel: 0791/755 7931, Email: m.riedel@lrasha.de)

Frau M. Großmann (Tel.: 0791/755 7348, Email: m.grossmann@lrasha.de)

Aliens Authority (Ausländerbehörde, ABH Landkreis)

Appropriate Authority if you live in the Landkreis BUT NOT in Schwäbisch Hall or Crailsheim)

Landratsamt Schwäbisch Hall, Münzstrasse 1, 74523 Schwäbisch Hall

Tel.: 0791-755-7262, Mail: info@lrasha.de

Opening hours: Mo-Fr 8-12 Uhr sowie Mo-Mi 13-15:30 Uhr und Do 13-17 Uhr

Aliens Authority Stadt Crailsheim

Marktplatz 1-2, 74564 Crailsheim

Tel.: 07951/403-0

Aliens Authority Stadt Schwäbisch Hall

Gymnasiumstrasse 2, 74523 Schwäbisch Hall

Tel.: 0791 751480, auslaenderbehoerde@schwaebischhall.de

Öffnungszeiten: Mo - Fr 8:00 - 12:00 Uhr, Di 14:00 - 16:00 Uhr, Do 14:00 - 17:00 Uhr, sowie nach Vereinbarung

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