

**Case 63/86 Commission v. Italy (Social Housing) [1988] ECR -00029**

**Facts:** A Belgian national applied for a reduced-rate mortgage loan in Italy, where he resided and pursued activities as a self-employed person. His application was rejected on the grounds of nationality. The Italian government contended that there was no direct link between the pursuit of occupations and the right of access to social housing or reduced-rate mortgage loans, and that therefore the nationality requirement was not a restriction on the freedom of establishment or the freedom to provide services.

**Held:** The freedoms provided for in the TFEU emanated from the principle of equal treatment which prohibited any discrimination on the grounds of nationality. This principle worked to ensure that nationals of a Member State could freely pursue economic activities in other Member States. Thus, if complete equality of competition were to be assured, the national of a member state who wished to pursue an activity as a self-employed person in another member state would therefore be able to obtain housing in conditions equivalent to those enjoyed by those of his competitors who were nationals of the other state. The Italian law therefore breached Art. 49 TFEU.