

University of Ferrara

Department of Law

Nudges and rules:

The Limits to a Purposive Fiscal Intervention.

The case of housing.

Tax history and experience in incentivizing and disincentivizing residential building

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INTRODUCTION

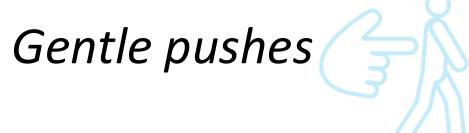
- Fiscal policy today extends beyond mere revenue collection;
- Fiscal instrument used to pursue social and economic goals;
 - States use tax policy to influence behavior.

Objective: to analyze how these tools are employed in housing

DEFINITIONS NUDGES VS. RULES

"A nudge is any aspect of the choice architecture that alters people's behavior in a predictable way without forbidding any options "

- Thaler and Sunstein in Nudge: The Final Edition



Example: tax deductions for energy-efficient home renovations;

Aim: influence decision while preserving freedom of choice;



NUDGES vs. RULES



• Any standard, principle or norm that guides conduct;

• clear obligations, prohibitions or enforcement.

Example: taxes on second home.

More rigid compared to nudges.



THE ITALIAN CASE - Tools in Italian Housing Policy

Nudges: Ecobonus, first-home tax reliefs, ... and Superbonus 110%?.

Rules: IMU (property tax), TASI, strict building codes.

Fiscal intervention blends both categories



CASE STUDY - SUPERBONUS 110%

Laid down in Article 119 of Decree-Law No. 34/2020 (the so-called "Decreto Rilancio")

Purpose: to promote sustainable renovations.

Design: targeted energy efficiency and seismic upgrades

for existing residential buildings

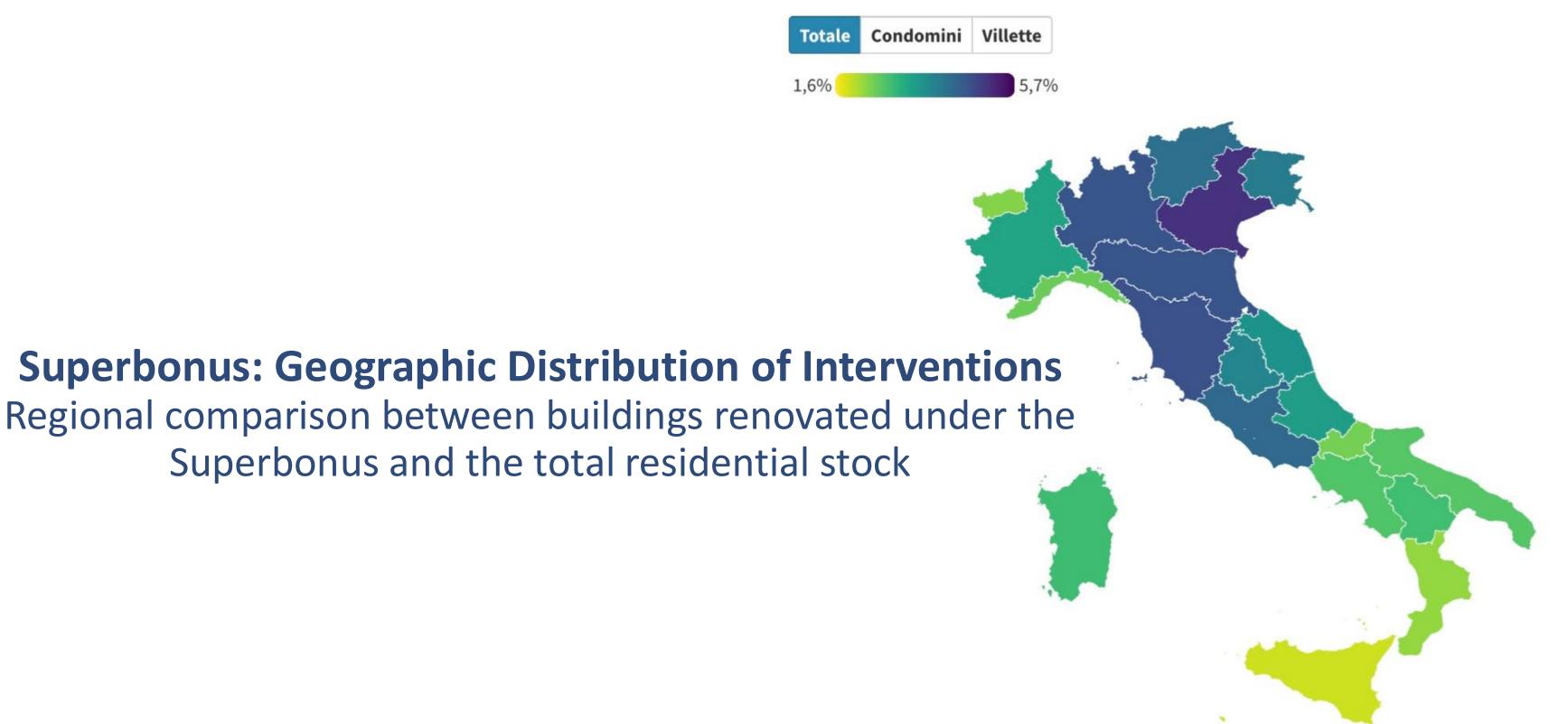
Outcomes:

The 110% tax deduction boosted construction activity.

Fraud, abuses, inflated costs, administrative burdens and the involvement of criminal organizations

Dilemma: born as a nudge, but became rule-like due to complexity





Regional Gap: 73% of tax benefits were allocated to seven Central-Northern regions, widening the North-South gap in construction investments

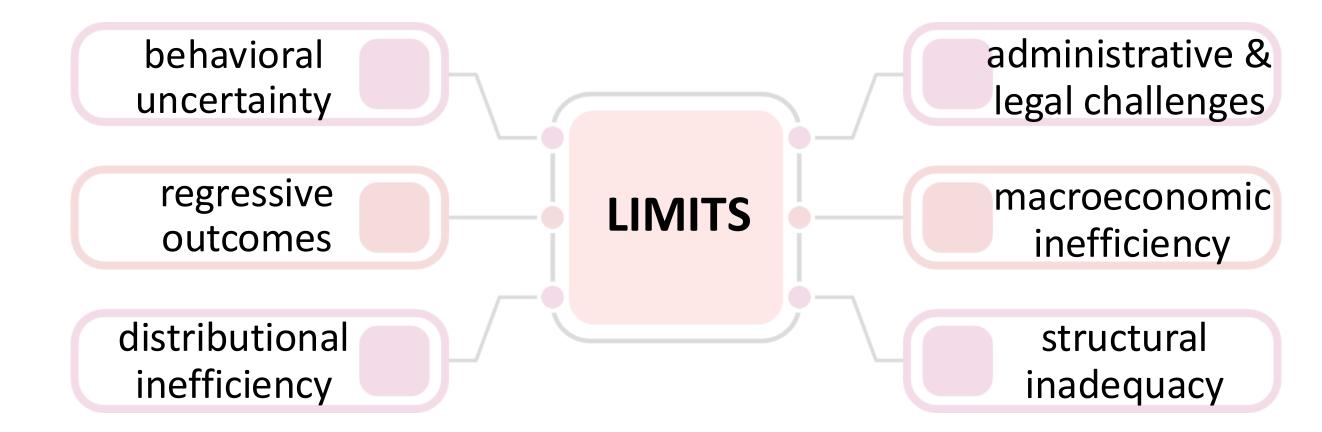


FISCAL INTERVENTION: TOOLS and LIMITATIONS

Such interventions take the form of:

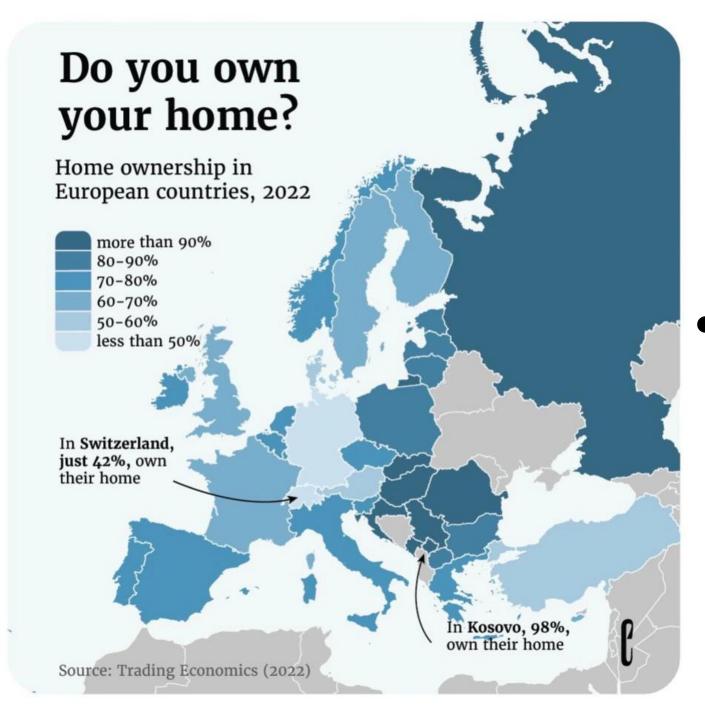
tax deductions for building renovations (e.g. Ecobonus);

tax incentives for firsttime homebuyers (e.g. "Prima Casa" benefit) tax credits for energyefficient upgrades (e.g. Superbonus)





TAX HISTORY and HOUSING in ITALY



- ¾ of the market is dominated by homeownership;
 - Subsidies favor high-income groups;
- Rental market neglected and affordability declined;
 - crisis + austerity = fragile housing policy

1990s = liberalization of the rental market in Italy

- Law No. 359/1992
- Law No. 431/1998

CONCLUSION & POLICY INSIGHTS

Key Takeaway: No one-size-fits-all; balance nudges and rules

Future Steps:

- Combine short-term fiscal incentives with long-term regulatory certainty;
- Ensure accessibility, credible enforcement and alignment with long-term goals.

Lessons applicable beyond Italy

"The path forward lies in integrated solutions, not ideological paradigms."

Thank You!



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