

## Client Alert

Turkey | November 2023

### **New regulations on urban transformation are enacted.**

Omnibus Law numbered 7471 was published in the Official Gazette on 9 November 2023. The law regulates the amendments aiming to accelerate the demolition and reconstruction process after the 6 February 2023 Pazarcık and Elbistan earthquakes in the earthquake region and the procedural changes in urban transformation practices across the country. The law entered into force as of 9 November 2023 with the exception of one article regulating the institutions to be licensed by the Urban Transformation Directorate for urban transformation practices.

The law authorizes the Urban Transformation Directorate for carrying out urban transformation practices, particularly for the identification of risky buildings. The new regulations change the definition of reserve building areas to include the parcels located in already populated areas.

In the new practice, the property owners are granted one time evacuation and demolition period of 90 days for their risky buildings. If the identification of whether the building is risky or the evacuation or demolition of risky buildings is prevented, these procedures can be conducted by law enforcement officers.

The most significant change introduced by the law is that all works and transactions that require the approval of all property owners and related parties (i.e., amalgamation, division, area correction, allocation, formation, deregistration, registration and similar transactions, all kinds of permits and licenses regarding demolition and construction) can be conducted with the decisions taken by the absolute majority of the shareholders in proportion to their shares. In the new practice, the joint owners of real properties will be allowed to file a lawsuit for the elimination of joint ownership in the real properties that become land after the demolition of risky buildings. However, despite such a lawsuit having been initiated, the real property owners will not be prevented from taking decisions with the absolute majority and taking actions based on this decision.

The law regulates the issuance of a construction license within 30 days from the application date and a building utilization permit within 30 days from the completion of the building for transformation practices in which the Urban Transformation Directorate is involved.

Please contact us if you need further information on this matter.