

Amendments to the Law on the Transformation of Areas Under Disaster Risk

29 Nov 2023

Amendments were made to the Law on the Transformation of Areas under Disaster Risk and Administrative Jurisdiction Procedures Law.

With the Law on the Amendment of the Law on the Transformation of Areas under Disaster Risk and Certain Laws and the Decree Law Numbered 375 ("**Law**") published in the Official Gazette dated November 9, 2023 and numbered 32364, new provisions have been added to the Administrative Jurisdiction Procedures Law numbered 2577 to be applied in action for rescissions filed against administrative actions based on damage assessment reports:

- Within ten days, first examination will be conducted, and the petition and its annexes will be notified.
- The defense period will be fifteen days from the notification of the lawsuit petition and this period can be extended by ten days for one time.
- No appeal will be possible against the decisions regarding the issue of stay order.
- The expert reports will be submitted to the court within fifteen days after the examination, and the parties may object to the report within seven days from the date of notification.
- Final decisions can be appealed within fifteen days, responses against the appeal will be submitted within fifteen days and the appeal will be decided within 2 months at the latest by the court.
- Full remedy actions and actions for rescissions cannot be conducted simultaneously.

With the amendments on Law Numbered 6306 on the Transformation of Areas under Disaster Risk:

- The determination of risky buildings shall be made primarily by the building owners or their legal representatives. The Urban Transformation Presidency ("**Presidency**") or the administration may also make risky buildings determination ex officio. The determination of risky building can be objected within fifteen days.
- Buildings determined to be risky will be notified to the land registry office within ten working days at the latest from the date of determination.
- Owners of buildings evacuated within the scope of risky building determination will be provided with construction aid in addition to rent assistance.
- Building owners will be given a deadline of no more than ninety days for the demolition of risky buildings. Buildings that are not demolished within this period will be demolished by administrative authorities.
- In case the risky building is not evacuated, upon the request of the Presidency/Administration, law enforcement officers will ensure the evacuation by opening or having the closed doors/areas opened based on the written order given by the local administrative supervisor.
- Notification regarding the evacuation and demolition of the risky building is made to the real and personal right holders by hanging the report on the building, notifying the owners via E-Government portal, and announcing it in the neighborhood representative's office for fifteen days. The procedure

regarding evacuation and demolition shall be deemed to have been notified to the right holders on the last day of the announcement made in the neighborhood representative's office.

- The works and transactions required by the new applications to be carried out, which must be carried out with the consent of the owners, shall be carried out based on the decisions taken by the absolute majority of the shareholders in proportion to their shares. The relevant provision will enter into force one year after the publication date of the Law.

You can access the relevant Law through this [link](#). (Only in Turkish)

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