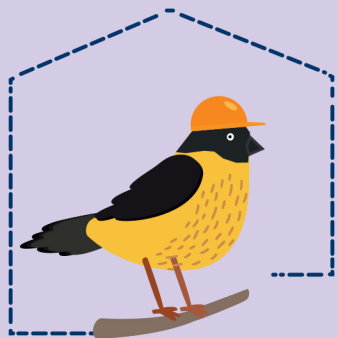




GUIDE FOR HOMEOWNERS - SERIES 3



MEET YOUR GUIDE



Hi I'm Weaverbird, I know that the process of constructing or buying your own home needs to be guided. I have developed a series of guides to help you in your journey of becoming a homeowner.

This guide provides homeowners information about their rights and duties when buying an apartment from a developer.

If you want to know more about permits and the permit process, please refer to **Guide for Homeowners-Series 1**.

If you are constructing an independent house, please refer to **Guide for Homeowners-Series 2**.



List of documents to ask from a developer before possession

- Building Permit along with sanctioned plans and NOCs
- Copy of RERA registration certificate
- Area statements and other facilities available
- Occupancy Permit and approvals for connections from utilities
- Land Use Certificate
- Land Title documents

For more information, please contact:



Head (Civil Engg)
Bureau of Indian Standards
Manak Bhavan
9 Bahadur Shah Zafar Marg
New Delhi – 110002



www.bis.gov.in, www.manakonline.in



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GUIDE FOR HOMEOWNERS - SERIES 3

BUYING AN APARTMENT FROM A DEVELOPER/BUILDER



Hi Weaverbird, I am looking to buy an apartment from a developer/builder.



That's nice. But is the apartment ready-to-move or still under construction?

Well, it is almost complete, and we will be able to occupy in a few month's time.



Ok, you must be clear if it is ready-to-move or under construction. The papers that you need to ensure in each type will be different and I am summarizing them here for you.

FOR AN UNDER-CONSTRUCTION PROPERTY



1

Ensure that the project is registered with your State's Real Estate Regulatory Authority (RERA) and check the details on their website.

2

Make sure that the project has been issued a Development and Building Permit from the Authority. Ask your builder or developer to show you this Permit.


3

The Development and Building Permit of the project always has the sanctioned plan. Ask for a copy of the sanctioned plan from the developer and verify that the construction is as per the plan.

4

The developer may sell or price the apartment on the basis of carpet area. You should verify the actual carpet area¹ that will be available for your use.

5

Read the brochure/prospectus and Builder Buyer Agreement (BBA) carefully. Some terms and conditions of the BBA are included in your registration document. Also look for specifications of materials which should be BIS Standard marked .

6

Ask for a copy of the Occupancy Permit.

FOR A READY-TO-MOVE IN PROPERTY



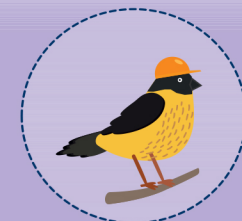
1

If it is registered under RERA, check all the following documents:
1. Occupancy Permit.
2. Sanctioned Plans.
3. Structural drawings/details.
4. Builder Buyer Agreement (BBA).
5. Information submitted to RERA with the registration.

2

If it is a resale property,
1. Obtain complete ownership/title documents-these are now also available on the websites of many concerned Sub-registrar/Authority.
2. Obtain papers of the first buyer of the property.
3. Assess need for quality audit in case of any cracks or visible signs of distress.
4. Check for any outstanding dues: water, electricity, house tax, RWA, etc.

THINGS TO KNOW



- Details of the architect/civil engineer and structural engineer² who has designed the project.
- Check the Master Plan/Zonal Plan if the development is in accordance with the planned land use such as residential, commercial, public/semi-public, etc. In case the actual land use is different from notified zoning, ask for change in land use certificate. Master plan is available at the Authority³ and at their official website.
- Layout should be as per the sanctioned plan and there should be no deviations. Any addition or change in the sanctioned development and/or building plan has to be approved by the authority and an application for approval has to be submitted along with fees as prescribed in Local Building Regulations⁴.
- The Owner can take a recourse to approach to RWA/RERA/Authority and other mechanisms such as consumer courts to redress their complaints relating to quality, services, workmanship and other obligations. RERA provides a 5 year defect liability period wherein the builder/developer is obligated to address various defects.
- Important provisions of Building Regulations that you must be aware of, are:
 - *Ground coverage, front, rear and side setbacks, Floor Area Ratio (FAR), parking, density permissible on your plot. Also check if space for visitors parking and accessible parking are provided in the proposed layout.*
 - *Permissible land use and its ancillary activities, especially relevant if you also want to build a shop or office in your house.*
 - *Administrative process of plan approval which includes the list of documents that will be submitted for getting plan sanctioned and the NOCs that have to be obtained from other Government departments/agencies.*
 - *Minimum sizes of rooms of the house so that proper light, ventilation and safety is ensured.*
 - *Restrictions on dimensions (height, width, etc.) of other parts of the building like stairs, porch, mummy, boundary wall, ramps etc.*
- For all high-rise apartments (height more than 15 m), fire and life safety systems such as fire detection and alarm system, emergency lighting, fire hydrants etc should be installed and working.
- The developer/ builder has to maintain building and its campus till it is handed over to the RWA.
- You may select projects which include sustainability features such as rain-water harvesting, use of solar PVs for electricity, solar water heating system, recycle and re-use of grey water, provision of composting pits and energy efficient devices and/or use of sustainable building materials.
- Check whether the universal accessibility features such as handrails, ramps are provided to access common areas (parks, community centers, parking, building entrances, lobby, lift, etc) for a more inclusive space for children, elderly and the disabled. Every building should include accessible dwelling units at lower levels and accessible toilet close to entrance lobby.

¹ See local Building Regulations for definitions of covered area and carpet area.

² More details about these professionals have been provided in Guide for Homeowners - Series 1.



³ Authority may be a Municipal Corporation, Municipality, Development Authority, Town Planning Department or Panchayat, based on the area where your plot/building is located.

⁴ Building Regulation (also known as Building Byelaws in some local bodies) is a legal document to regulate the building construction activity.

