

Aleppo City Council Imposes Fees, Rather than Compensation, on Permits to Repair Properties

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Aleppo's City Council earlier this month issued Decree No. 55 for granting licences to restore damaged and endangered buildings, as well as the decree's executive instructions. It is assumed that residents of eastern Aleppo city, whose homes sustained large-scale destruction from heavy regime airstrikes throughout the war, will benefit from the decree.

The council will grant what it calls "damage licences" to property owners so that they can repair and restore properties that were either partially or fully damaged, as well as buildings that pose a danger to public safety. The decree stipulated that the targeted building must be located within areas that had undergone detailed zoning studies within Aleppo's general zoning plans. Properties built by state institutions are considered to be licensed regardless of their location.

The "damage licence" allows for restoration of damaged buildings to their former state as put forward in the original building permit.

According to the decree, the Urban Licensing Department within the Ministry of Local Affairs and Environment's Technical Affairs Directorate will be in charge of checking the required documents and issuing the licences after applicants pay certain fees. The fees are to be determined based on the amount of damage, the location of damage of the building, and the total area and specifications of the property. The Council has yet to announce how it will calculate the fees for each property.

Licence applicants must provide a large number of ownership documents that are often difficult to obtain, effectively barring many residents and property owners from obtaining permission to repair their buildings as their properties are not formally documented or licensed to begin with. Among the documents required for the "damage licence" are proof of ownership or certified agency, in addition to a real estate registry statement, a cadastral plan, boundary records, a site plan, financial clearance from the City Council, and either a copy of the applicant's ID or proof of legal inheritance. Copies of the original building permits, engineering plans and many other documents must also be provided.

Decree No. 55 also attempts to address some legal issues that have cropped up amid restoration of Aleppo's damaged buildings. Among them are issues related to damages within jointly owned properties, or to common areas of buildings such as entrances, stairwells and cellars. In such cases, the decree stipulates that one of the building's co-owners may apply for the "damage licence."

However, the decree did not make such repairs mandatory, making the issue of structural safety subject to administrative transactions. The issue is also related to inherited properties in which the process of inheritance has not yet been completed.

Much of east Aleppo has remained in ruins since regime forces recaptured control of the area in late 2016 and forcibly displaced residents to opposition-held areas of Idlib Governorate. The general zoning plan for Aleppo was issued in March 2018, but the detailed zoning plans were not completed until after regime forces took control of neighbouring rural areas north and west of the city in early 2020, explaining the delay in granting "damage licences."

Decree No. 55 did not grant owners of code-violating properties in official zoning areas, or properties in the *ashwa'iyat* informal housing areas, the right to obtain "damage licences". Rather, these properties and areas are to be completely demolished, according to the detailed

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zoning plans, which were not announced publicly although they are available in the city council records.

The decree is also imposing fines for licensing at a time when residents are waiting on compensation for damages to their private properties, as promised by the government in 2017. Residents reportedly submitted more than 21,500 registered and documented applications to the City Council's Committee for Compensation of Damages since then. Only 2,000 requests were processed before compensation payments halted in 2018. The values of the compensation were related to the scope of damage. Before the halt, the highest compensation paid was SYP 10 million, regardless of the property's condition.

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