

Are Regime Opponents Losing Their Rights in Housing Cooperatives?

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In recent years, housing cooperatives have cancelled the membership of many people who had applied for or been allocated apartments in [cooperative housing](#) projects. This comes amid the failure of those members to pay their financial dues or to complete contractual procedures. However, sources told *The Syria Report* that housing cooperatives have been cancelling the membership of some regime opponents without prior notice.

Allocation refers to the procedure of making an applicant a contracting party within a project implemented by a housing cooperative (or any other public housing institution), through an allocation contract named “Appurtenance Real Estate Contract” made between the cooperative and the applicant. The allocation contract includes the location of the housing as well as its description and is documented within the [Ministry of Public Works and Housing](#). The contract is considered a title deed, provided that all the financial obligations are met.

Under the allocation contract, the apartment allocated to its owner is entered into the “temporary” daily land registry kept by [Cadastral Affairs](#). Work on the temporary registry begins with the opening of a land record for the property within the Cadastre based on the allocation contract. This is accompanied by a notice prohibiting real estate transactions on the property. Work on the temporary registry is completed when the property is subdivided and all current incidents are transferred to the permanent registry. In no case do the allocation contracts specify a timeline for completion of the housing unit and handing it over to the owner.

For example, in mid-2020 a housing cooperative in Damascus cancelled allocation for several members, based on a session of its board of directors as well as the cooperative housing Legislative Decree No. 99 of 2011 and its funding plan, as the cooperative stated in its official decision. One of the members whose allocation was cancelled in the decision is a regime opponent now living outside Syria. The member, who declined to be identified, told *The Syria Report* that he has been a member of the cooperative since 2008, and had signed an allocation contract for an apartment in one of the cooperative’s projects in the Damascus Countryside governorate in 2011. Until 2012, he paid around SYP one million of the total SYP 1.5 million he owed for the apartment. However, in 2012, opposition forces took control of the area where the housing project was located. The area remained under opposition control until 2018. From 2012-2018, the cooperative stopped construction on the project, and did not receive payment instalments from applicants and people who had been allocated apartments.

Then in mid-2020, the cooperative resumed work on the project. Without warning, which is a prerequisite stipulated by Legislative Decree No. 99 of 2011, it cancelled the housing allocations for several members. The member who talked to *The Syria Report* confirmed that his official representative, whose address is documented by the cooperative, was not informed that the body had resumed collection of payment instalments. All the representative received from the cooperative was a notice that the allocation contract had been cancelled on the pretext he had not fulfilled his financial obligations.

A member of another housing cooperative, who is also a regime opponent and now lives outside Syria, said his allocation contract had been cancelled without prior notice. He told *The Syria Report* that his relatives in Damascus formally addressed the cooperative’s management through a lawyer, demanding the body allow them to see the three notices requesting the payment of the financial obligations before cancelling his allocated housing. The cooperative declined to respond.

The Syria Report

An expert on housing cooperatives told *The Syria Report* that after the issuance of Legislative Decree No. 37, which dissolved the [General Union for Housing Cooperative \(GUHC\)](#), the cooperatives came under the authority of the [Ministry of Public Works and Housing](#). According to the expert, the cancellations of allocated housing for certain members known to be pro-opposition under the pretext they had not paid their dues came in response to directives from the Ministry.

Legislative Decree No. 99 of 2011 stipulated that if members who had applied to, been allocated, or had received housing from a cooperative failed to pay their financial dues, they would receive a warning. Failure to respond to the warning would mean cancellation of the allocated housing and its registration within the land registry. The housing unit would then be vacated based on a decree issued by the cooperative's Board of Directors. Under Decree No. 99, people who have faced cancellation retain the right to apply for or be allocated housing units in upcoming projects, or in vacant housing.

Housing cooperatives have no clear legal standards for interpreting what is meant by delayed payments of financial obligations, or the length of time that constitutes a delay. The cooperatives measure such delays at their own discretion, rather than through a unified standard--especially after years of war rendered many housing applicants unable to pay for or receive their housing units as many areas of the country came under the control of opposition forces.

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