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DECISION

No. 488, dated 22.7.2014

ON THE DETERMINATION OF THE FAVOURABLE PRICE FOR THE SALE OF CONSTRUCTION PLOTS FOR ILLEGAL CONSTRUCTIONS INTENDED FOR HOUSING AND MIXED USE OF THE ENTITIES BENEFITING FROM PAYMENT EXCLUSION, AND PAYMENT METHOD AND TERMS

(Amended by Decision No. 725, dated 02/11/2014)

(Amended by Decision No. 368, dated 26/04/2017)

Pursuant to Article 100 of the Constitution and point 6 of Article 17, Law No. 9482, dated 3.4.2006, "On legalization, urbanization and integration of illegal constructions", as amended, upon the proposal of the Minister of Urban Development and Tourism, the Council of Ministers

DECIDED:

I. SALE PRICE OF THE CONSTRUCTION PLOT FOR OBJECTS INTENDED FOR HOUSING AND MIXED USE

1. The sale price of a construction plot for illegal constructions intended for housing (including side and/or height extensions in legal constructions) is calculated as a percentage of the value of the property, by type of "land plot", approved by a decision of the Council of Ministers.

2. For illegal buildings intended for housing, the sale price per square meter is 50% of the value determined for the "land plot" property, in the administrative unit and the respective cadastral zone.

For illegal constructions built within the administrative territory of communes, when the price per square meter, calculated according to this point, is less than 400 (four hundred) ALL or more than 1 500 (one

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thousand five hundred) ALL, the price to be applied for the sale of the construction plot will be at these limit values.

For illegal constructions, built within the administrative territory of the municipalities, when the price per square meter, calculated according to this point, is less than 500 (five hundred) ALL or more than 2,000 (two thousand) ALL, the price to be applied for the sale of the construction plot will be at these limit values.

For side and/or height extensions in legal constructions, intended for housing, regardless of the territory where they are built, when the price per square meter, calculated according to this point, is less than 1,000 (one thousand) ALL or more than 3000 (three thousand) ALL, the price to be applied to the respective surface will be at these limit values.

3. For illegal buildings intended for mixed use (housing and socio-economic), the sale price of the construction plot is calculated in relation to the area of illegal construction used for each of the following functions:

- a) The area of the construction plot, in relation to the area of illegal construction used for a socio-economic function, is sold according to the value of the “land plot” type, approved by a decision of the Council of Ministers;
- b) The area of the construction plot, in relation to the illegal construction area used for housing, is sold according to the price specified in point 2 of this decision.

II. CATEGORIES OF ENTITIES BENEFITING FROM PAYMENT EXCLUSION

4. *(Amended by Decision No. 725, dated 02/11/2014)* For the holders of illegal constructions, who have the status of paraplegic and/or tetraplegic invalids, in the sense of Law no. 8626, dated 22.6.2000, “On the status of paraplegic and tetraplegic individuals”, as amended, and having the status of blind, in conformity with Law No. 8098, dated 28.3.1996, “On the status of the blind”, as amended, upon the submission of the relevant official proof at the directorate of ALUIZNI, the financial liability for the amount of the construction plot is removed.

For the holders of illegal constructions, having family members with the status of paraplegic and/or tetraplegic invalids or with status of the blind, the financial liability for the construction plot is reduced to 50% of the calculated value, on the basis of Chapter I of this decision.

5. Holders of illegal constructions, which are entities of economic aid, in the sense of Law No. 9355, dated 9.3.2005, “On social assistance and services”, as amended, benefit a 30% discount from the value of the plot calculated on the basis of Chapter I of this Decision.

III. PAYMENT METHOD AND TERMS FOR THE CONSTRUCTION PLOT, AND USE RATES OF PRIVATIZATION BONDS

6. Settlement of the construction plot value by the holder of the illegal construction shall be made after the written notice by the Agency for Legalization, Urbanization and Integration of Informal Areas/Constructions (ALUIZNI), in which the value, the possibility for instalment payment and settlement terms are determined.

Immediate payment shall be deemed to be the settlement by the holder of the illegal construction of the construction plot value within 45 (forty-five) days from the date of the written notice.

7. Payment of the financial liability for the construction plot, regardless of the function of the illegal object, may be performed:

- a) in ALL, in full monetary value;
- b) with privatization bonds, up to 50% of the plot value.

8. For illegal buildings with a socio-economic function, the payment of the construction plot value shall be made immediately.

9. If the payment of the construction plot value is made immediately, a deduction of 20% of the remaining value of the liability is obtained, regardless of the illegal construction function.

This deduction is also obtained for the construction plot value for the secondary illegal objects, according to the provisions of Article 25 of Law No. 9482, dated 3.4.2006, "On legalization, urbanization and integration of illegal constructions", as amended.

In the sense of this point, the remaining liability value shall be deemed the one obtained after the application of the rule set out in letter "b" of point 7 of this decision.

10. *(Amended by Decision No. 725, dated 02/11/2014)* If the holder of the illegal construction does not fully settle the financial liability for the construction plot within six months from the date of notice, the provisions of point 2/1, Article 30, of Law No. 9482, dated 3.4.2006, "On the legalization, urbanization and integration of illegal constructions", as amended, shall apply until payment of the total liability value.

11. *(Amended by Decision No. 368, dated 26/04/2017)* Following the implementation of the rules, according to this chapter, a 10 percent discount is applied in the remaining value of the construction plot applies in order to encourage the holders to apply the contractual obligations for the power supply.

11/2. *(Added by Decision No. 368, dated 26/04/2017)* In accordance with Article 17 of Law No. 9482, dated 3.4.2006, as amended, the rules set out in Chapter III of this Decision apply to the full value of the financial liability for the construction plot. “Total value” means the value of the total area of the construction plot, after the application of the rules set out in letters “a”, “b” and “c” of point 1 of the abovementioned Article.

11/3. *(Added by Decision No. 368, dated 26/04/2017)* The rules provided in Chapter III of this Decision apply to other objects as well, according to Article 25 of Law no. 9482, dated 3.4.2006, as amended.

12. For the obligations of the construction plot, calculated, but not paid by the holders until the date of entry into force of this decision, the prices, the method and the terms set out in this decision shall apply.

13. The Ministry of Urban Development and Tourism and the Agency for Legalization, Urbanization and the Integration of Informal Areas/Constructions are responsible for implementing this decision.

2. *(Added by Decision No. 725, dated 02/11/2014)* The Ministry of Urban Development and Tourism and the Agency for Legalization, Urbanization and the Integration of Informal Areas/Constructions are responsible for implementing this decision.

2. *(Added by Decision No. 368, dated 26/04/2017)* For entities that have benefited deduction as a guarantee for the settlement of electricity obligations prior to the entry into force of this decision, this guarantee shall be removed. Pursuant to this point, the ALUIZNI directorates notify the local immovable property registration offices to remove the restriction on the legalized property.

This decision shall enter into force after the publication in the Official Journal.

PRIME MINISTER
Edi Rama