

NEWSLETTER

OCTOBER, 2023

VACANT PROPERTIES

As part of the Mais Habitação (More Housing) Program, which came into force on October 7, the system for the forced rental of vacant homes was amended. – [What has changed?](#)

What is a vacant property for legal purposes?

Under the terms of Decree-Law no. 159/2006 of 8 August, urban buildings or autonomous units that have been unoccupied for a year are classified as vacant, unless the property was purchased for resale, is under litigation that prevent its use, or is undergoing works.

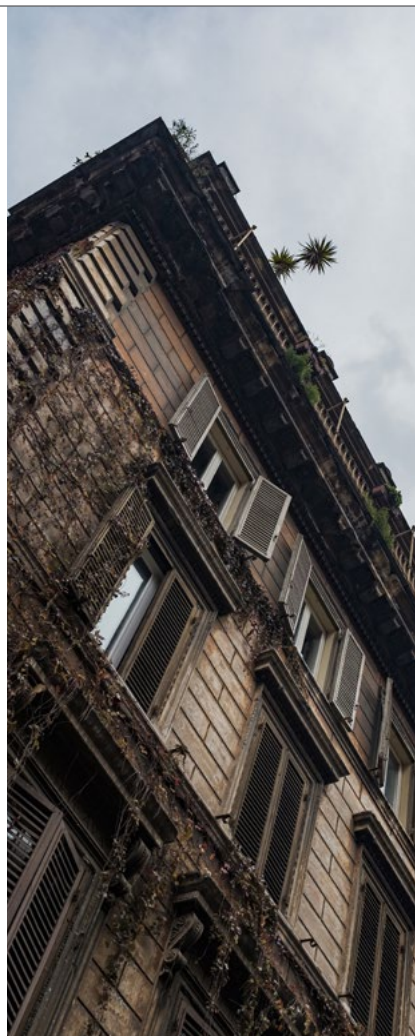
Which vacant properties are included in the scope of forced renting?

Only properties that have been vacant for more than two years and are located outside the interior of the country.

Who checks whether properties are vacant?

It is the responsibility of the respective town councils to periodically inspect the living conditions of buildings.

Local councils can also order an inspection of the conditions of use of a particular property on their own initiative or at the request of any interested party.



What is the procedure for the forced renting of vacant properties?

The town hall must notify the owners of properties located outside the interior of the country that have been vacant for at least two years to comply with the duty of conservation, by carrying out works, and/or to comply with the legal duty to use to the Unit, with the possibility of submitting a rental proposal.

Following this notification, the owners have 90 days to respond or to comply with the above, under penalty of forced rental.

If the municipalities do not intend to rent the property and in case it is not necessary any conservation work, they will send the information about the property to the Institute for Housing and Urban Rehabilitation (IHUR).

What is forced renting?

If the owner does not respond or does not use the property, the State may, for reasons of public interest, forcefully rent the vacant houses, in which case the owner is entitled to receive a rent that cannot exceed 30 per cent of the general rent price limits for the parish where the property is located, also taking into account the type of house.

LOCAL COUNCILS CAN ALSO ORDER AN INSPECTION OF THE CONDITIONS OF USE OF A PARTICULAR PROPERTY ON THEIR OWN INITIATIVE OR AT THE REQUEST OF ANY INTERESTED PARTY.



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