



## URBAN PLANNING SIMPLEX

### *Changing the use of the apartment to residential does not require authorisation from the condominium*

**T**he legislative package known as **URBAN PLANNING SIMPLEX**, approved by Decree-Law no. 10/2024 of 8 January (DL), has as its main objective the reform and simplification of licensing in the fields of town and country planning and industry.

As explained in the preamble to the DL, it *"also aims to continue making progress on housing, creating the conditions for more affordable housing to be available"*.

Now, considering this aim of making housing easier and more accessible by

simplifying the prior procedures that were previously required of those interested, a new article was created in the Civil Code, Article 1422-B, which is entitled *"Change of use of the apartment for housing"*.

This article establishes that altering the purpose or use for which each apartment block is intended does not require the authorisation of the other condominium owners.

Previously, in order to be able to modify the title constituting the horizontal property, and since there was no



exception to the general rule of article 1419, no. 1 of the Civil Code, the agreement of all the condominium owners in this regard was required.

With this new article, condominium owners who change the use of their unit with the town hall have the power, by unilateral act contained in a public deed or authenticated private document, to make the corresponding change to the constitutive title, regardless of the authorisation of the other condominium owners.

Condominium owners who do so only have the duty to communicate the public deed or notarised private document to the condominium administrator within 10 days.

## ENTRY INTO FORCE

This amendment to the Civil Code on horizontal property came into force on 1 January 2024.

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