

Obtaining a New Land Plot for Building Construction

Land Privatization in Ukraine

Under the Land Code every individual has the right to obtain a land plot from the state or communal ownership into private ownership free of charge. This Briefing Note explains processes for privatization of land plot for building construction only.

What Amount of Land Can Be Obtained Free of Charge for Building Construction

Every citizen of Ukraine has a right to **one time** free allocation of land from the of State or communal ownership within the following limits:

- for construction and maintenance of the house and utility buildings (adjacent area) in villages – not more than 0,25 hectare; in urban-type villages – not more than 0,15 hectare; in cities – not more than 0,10 hectare
- for individual summer houses construction – not more than 0,10 hectare

Procedure for Obtaining a New Land Plot into Private Ownership

1. Individual identifies a land plot which, he/she believes, belongs to the local council and has not yet been allocated to others
2. Individual applies in a plain paper to the local council and provides the following information:
 - location of the plot (i.e., map, sketch, GPS, or simply oral description of the location)
 - land designation (i.e., for construction purposes).
 - statement that he/she has not yet fully used his/her right to a privatized land plot of respective land designation
3. The following documents should be attached to the application:
 - copy of an ID document (i.e., passport)
 - an extract from the cadastral map/plan, which can be ordered from the rayon (city) land resources department, or other graphic materials showing demarcation of the selected land plot

4. Local council will take up to 30 days to provide a decision on the application. If a decision is not provided within 30 days, the applicant may skip step 5 and move to step 6 below. Local council can only deny the application on ground of nonconformity of the land plot location with the requirements of the law. Such denial, and the grounds for denial have to be communicated to the applicant.
5. After a satisfactory review of the application, the local council will issue a decision giving permission to the applicant to prepare a land use planning project on land plot allocation, which:
 - should include exact limits of the land plot, their geodetic coordinates and cadastral plan
 - can only be done by licensed engineer-land surveyor based on a written agreement with the applicant
 - be drafted upon agreement as to the limits of the land plot reached with the owners of the adjacent land plots
 - should be paid for by the applicant (fees starting from 5000 UAH)
6. The licensed engineer-land surveyor has up to 6 months to develop the project and provide it to the applicant
7. Applicant (or licensed engineer if it was specified in the contract) shall submit the project, to respective territorial department of the State Service of Ukraine for Geodesy, Cartography and Cadaster and to respective Department for Construction and Architecture for review
8. Within 10 days the abovementioned authorities should provide the applicant with a letter specifying their decision on approval or dismissal of the land use project.
9. Upon receipt of the approval letter Individual submits an application, along with the documentation received from the previous authorities and the land use project for approval of the local council. The decision has to be issued within 2 weeks.
10. Upon receipt of the approval of the local council the applicant has to register the land plot with the State Service for Geodesy, Cartography and Cadaster. It takes up to 14 days from the date of application
11. After that applicant has to submit the local council's decision on land allocation and approved land use project to the Center for Provision of Administrative Services. The Center for Provision of Administrative

Services will provide the applicant with extract from the State Register of the Rights to Real Estate and Encumbrances Thereon confirming his/her ownership rights to the land plot.

12. From now on the applicant is considered as a lawful owner of the land plot.