

SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON HOUSING

Enactment No. 3486, Apr. 06, 1998
Partial Amendment No. 3524, Oct. 10, 1998
Partial Amendment No. 3843, Mar. 15, 2001
Partial Amendment No. 3960, Jan. 05, 2002
Amendment of Other Laws No. 4037, Dec. 26, 2002
Amendment of Other Laws No. 4103, Jun. 16, 2003
Whole Amendment No. 4418, Jul. 19, 2006
Amendment of Other Laws No. 4616, Apr. 03, 2008
Whole Amendment No. 4754, Mar. 18, 2009
Partial Amendment No. 4793, May. 28, 2009
Partial Amendment No. 4859, Sep. 29, 2009
Partial Amendment No. 4953, Mar. 02, 2010
Partial Amendment No. 5213, Jan. 05, 2012
Partial Amendment No. 5304, May. 22, 2012
Partial Amendment No. 5506, May. 16, 2013
Partial Amendment No. 5652, Jan. 09, 2014
Amendment of Other Laws No. 6016, Oct. 08, 2015
Partial Amendment No. 6083, Jan. 07, 2016
Partial Amendment No. 6191, Mar. 24, 2016
Partial Amendment No. 6307, Jul. 14, 2016
Partial Amendment No. 6602, Jul. 13, 2017
Partial Amendment No. 6847, Mar. 22, 2018
Partial Amendment No. 7857, Jan. 07, 2021

Article 1 (Purpose)

The purpose of this Ordinance is to provide for detailed matters delegated by the Housing Act and the Enforcement Decree of the same Act and basic matters regarding the Seoul Metropolitan Government's policies on housing in order to contribute to enhancing residential stability and improving housing standards for citizens.

[This Article Wholly Amended by Ordinance No. 4793, May 28, 2009]

Article 2 (Definitions)

The terms used in this Ordinance shall be defined as follows:

1. Deleted; <by Ordinance No. 6191, Mar. 24, 2016>
2. The term "residential standards" means residential conditions classified according to the number of members of each family and the type of each household;
3. The term "quality of a residential environment" means the level of harmony between the inside and outside of each house and the surrounding natural environment for desirable dwelling;
4. The term "public housing unit" means a house built or supplied by the State, a local government, or a public corporation;
5. The term "disabled person" means a person defined in Article 2 of the Act on Welfare of Persons with Disabilities;
6. The term "older person" means a person who is 65 years of age or older;
7. The term "well-designed multi-family housing" means multi-family housing that meets the review standards prescribed by the Building Committee of the Seoul Metropolitan Government under Article 4 of the Building Act in order to create a high-quality housing culture and improve the urban landscape;

[This Article Wholly Amended by Ordinance No. 4793, May 28, 2009]

Article 3 Deleted. <by Ordinance No. 6191, Mar. 24, 2016>

Article 4 (Citizens' Efforts, etc.)

(1) A citizen or a housing business entity shall endeavor to build a house in compliance with the residential standards under Article 17 of the Framework Act on Residence. <Amended by Ordinance No. 6191, Mar. 24, 2016>

(2) A housing business entity shall actively cooperate with the Metropolitan Government for the housing policies implemented by the Metropolitan Government in order to improve citizens' residential life, provide housing welfare, and improve the urban landscape.

(3) The Metropolitan Government, citizens, and housing business entities shall endeavor to make sure that the style and size of a housing unit meet the following requirements, in consideration of the nature of each area: <Amended by Ordinance No. 6083, Jan. 7, 2016>

1. To secure the size of a housing unit suitable for the number of members of each household;
2. To ensure safety against disasters;

3. To prepare facilities and functions necessary for health and hygiene;
4. To consider the safety and convenience of older or disabled persons , in the case of housing units for dwelling by older or disabled persons;
5. To consider the application of crime prevention through environmental design.

[This Article Wholly Amended by Ordinance No. 4793, May 28, 2009]

Articles 5 through 6 Deleted. <by Ordinance No. 6191, Mar. 24, 2016>

Article 5 (Comprehensive Housing Plan)

(1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall establish and implement a comprehensive housing plan of the Seoul Metropolitan Government (hereinafter referred to as "Comprehensive Housing Plan") for the comprehensive and systematic implementation of policies pursuant to Article 8 of the Housing Act.

(2) The Mayor shall divide the comprehensive housing plan into annual plans and a plan for ten years and shall establish an annual plan by the end of February of each year, based on a ten-year plan.

(3) When the Mayor intends to establish a comprehensive housing plan for ten years or revise any important matter in the plan, he/she shall collect opinions thereon from the head of each autonomous Gu, housing business entities, citizens, etc. and shall bring the plan to the Seoul Metropolitan Government Committee for the Deliberation on Housing Policies for deliberation.

(4) When the head of an autonomous Gu intends to establish a housing plan for the area within his/her remit in order to improve citizens' housing conditions, the Mayor may provide administrative assistance as may be necessary therefor.

(5) When the Mayor intends to establish the comprehensive housing plan, he/she may request the head of each autonomous Gu in advance to submit a plan for each area, which shall contain matters stated under Article 8 (2) of the Enforcement Decree of the Housing Act, and may reflect such plans in the comprehensive housing plan. In such cases, the head of each autonomous Gu shall comply with the request to submit a plan for each area, unless there is any exceptional circumstance.

[This Article Wholly Amended by Ordinance No. 4793, May 28, 2009]

Article 5-2 (Housing Fact-Finding Survey)

(1) The Mayor may conduct a survey on the matters under Article 5 (1) of the Housing Act and Article 6 (1) of the Enforcement Decree of the said Act and the following matters, subject to prior approval from the Commissioner of the Korea National Statistical Office:

1. The rate of resettlement of residents after the completion of an improvement project under subparagraph 2 of Article 2 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents;
2. Prices for the sale and lease (lease on a deposit basis and lease on a monthly rent basis) of residential houses;
3. Single-member families and households with an aged or disabled person;
4. Other matters that the Mayor considers necessary in connection with the implementation of housing policies.

(2) The housing fact-finding surveys that the Mayor may conduct pursuant to paragraph (1) shall be classified into periodic surveys and occasional surveys, while a periodic survey shall be conducted simultaneously with the censuses of population and housing, which are designated as designated statistics under Article 17 of the Statistics Act, and an occasional survey may be conducted upon specifying items subject to the survey, whenever the Mayor deems it particularly necessary.

[This Article Newly Inserted by Ordinance No. 4953, Mar. 2, 2010]

Article 6 (Supply of Public Housing Units and Subsidization of Housing Cost, etc.)

(1) The Mayor shall endeavor to supply public housing units in order to stabilize dwelling conditions for the aged, the disabled and other citizens and improve the quality of housing.

(2) If the Mayor deems it necessary for families who do not reside in any public housing unit, but fall short of the minimum residential standards, he/she may provide such families with some loans or subsidies from the Social Welfare Fund of the Seoul Metropolitan Government pursuant to Article 5-3 of the Housing Act in order for them to meet the minimum residential standards.

[This Article Wholly Amended by Ordinance No. 4793, May 28, 2009]

Article 7 (Assistance in Private Rental Housing Projects)

(1) The Mayor shall endeavor to implement housing policies for the effective supply of housing units, including assistance in the construction of private rental housing units, in order to stabilize residential life of citizens.

(2) The Mayor may partially grant subsidies from the Social Welfare Fund to a business entity that builds private rental housing units with an appropriate residential environment.

[This Article Wholly Amended by Ordinance No. 4793, May 28, 2009]

Article 7-2 (Percentage of Rental Housing Units in Housing Construction Projects, etc.)

"Percentage prescribed by ordinance of a City/Do" in Article 37 (1) of the Enforcement Decree of the Housing Act means 50/100.
<Amended by Ordinance No. 6847, Mar. 22, 2018>

[This Article Wholly Amended by Ordinance No. 4793, May 28, 2009]

Article 7-3 (Purchase of Rental Housing Units)

Methods of the conclusion of sales contract for and payment of the price for rental housing units constructed by a project operator under Article 7 (2) shall be as follows: <Amended by Ordinance No. 6016, Oct. 8, 2015>

1. The Mayor shall enter into a sales contract for rental housing units (including a building site and appurtenant welfare facilities; hereinafter the same shall apply) with the relevant project operator;
2. A sales contract shall be concluded when the progress of construction of rental housing units reaches at least 20 percent. In such cases, the completion of the erection of frameworks for the number of floors corresponding to at least 1/2 of the number of total floors shall be deemed 20 percent of the progress of construction;
3. The sale price shall be the cost of construction set according to the standards for calculation of the price of public rental housing units converted into sale in lots which applies at the time of sale of rental housing units under Article 16 (3) of the Rental Housing Act;
4. The price for sale of rental housing units shall be divided into a down payment, interim payments, and the remainder, and shall be paid as follows:
 - (a) When entering into a sales contract, 20 percent of the total amount shall be paid as a down payment;
 - (b) Interim payments shall be made in four installments according to the progress of construction; 15 percent of the total amount shall be paid when the progress of construction reaches at least 35 percent, 50 percent, 65 percent, and 80 percent, respectively;
 - (c) After approval for the completion of construction, ten percent of the total amount shall be paid and the remainder shall be paid after the date of announcement of moving.
5. Notwithstanding subparagraph 2, the Mayor may adjust the timing for a sales contract within budgetary limits, when necessary, such as for the revitalization of rental housing projects.

[This Article Newly Inserted by Ordinance No. 5213, Jan. 5, 2012]

Article 7-4 (Delegation of Authority)

The Mayor shall delegate his/her authority concerning the conclusion of a sales contract for rental housing units and payment of the price for the sale thereof for each stage (a down payment, interim payments, and the remainder) to the head of each Gu.

[This Article Newly Inserted by Ordinance No. 5213, Jan. 5, 2012]

Article 7-5 Deleted. <by Ordinance No. 6191, Mar. 24, 2016>

Article 8 (Development of Residential Environment)

The Metropolitan Government, citizens, and housing business entities shall endeavor to develop housing units and the surrounding environment in compliance with the following requirements: <Amended by Ordinance No. 6083, Jan. 7, 2016>

1. To secure the right to sunshine and parking space appropriate for each housing unit;
2. To secure roads around each area;
3. To prepare measures for minimizing vibration, noise, bad odor, pollution, etc. around each area;
4. To secure good neighborhood facilities;
5. To secure proper green areas and the space for children's play, etc.;
6. To consider the application of crime prevention through environmental design.

[This Article Wholly Amended by Ordinance No. 4793, May 28, 2009]

Article 8-2 (Supply of Well-Designed Multi-Family Housing)

Where well-designed multi-family housing is built, the cost additionally required therefor may be recognized as an additional construction cost under Article 57 of the Housing Act and subparagraph 12 of attached Table 1-3 of the Rule on the Calculation, etc. of Sale Prices of Multi-Family Housing, subject to prior review by the Committee for the Examination of Sale Prices. <Amended by Ordinance No. 4793, May 28, 2009; Ordinance No. 4859, Sep. 29, 2009; Ordinance No. 6847, Mar. 22, 2018>

[This Article Newly Inserted by Ordinance No. 4754, Mar. 18, 2009]

Article 8-3 (Emergency Water Supply Facilities)

Facility capacity of a basement water tank under Article 35 (2) 2 (a) of the Regulations on Standards, etc. of Housing Construction shall be applied by relaxing it to 0.6 ton (0.3 ton in cases of housing for single persons) of water or more per household including the volume of water kept in elevated tanks (to be included up to 0.5 ton per household)

[This Article Newly Inserted by Ordinance No. 5506, May 16, 2013]

Article 8-4 (Residents' Common Facilities)

(1) A housing complex in which houses of not less than 100 households are constructed shall be equipped with residents' common facilities in accordance with Article 55-2 (1) of the Regulations on Standards, etc. of Housing Construction, the area of which shall not be less than that computed as follows:

1. At least 100 households but less than 1,000 households: Area obtained by aggregating 2.5 square meters per household x 1.25;
2. At least 1,000 households: Area obtained by aggregating 2 square meters per household to 500 square meters x 1.25.

(2) Criteria for detailed area by residents' common facilities subject to obligatory installation under Article 55-2 (6) of the Regulations on Standards, etc. of Housing Construction shall be as prescribed in the attached Table: Provided, That any facilities

that the person authorized to approve the project plan deems not necessary to install, taking into consideration the current status, etc. of the installation of the facilities in nearby area, need not be installed. <Amended by Ordinance No. 6016, Oct. 8, 2015>

(3) A housing complex in which houses of not less than 1,000 households are constructed may include the following facilities in the residents' common facilities under Article 55-2 (4) of the Regulations on Standards, etc. of Housing Construction: <Newly Inserted by Ordinance No. Jul. 14, 2016>

1. Commuting-system welfare facilities for the older persons at home (Provided, That this refers to the facilities that fall under Article 38 (1) 2 of the Welfare of Older Persons Act);

2. Welfare facilities for persons with disabilities (Provided, That this refers to the daycare centers for persons with disabilities among the facilities that fall under Article 58 (1) 2 of the Act on Welfare of Persons with Disabilities).

[This Article Newly Inserted by Ordinance No. 5652, Jan. 9, 2014]

Article 9 Deleted. <by Ordinance No. 6191, Mar. 24, 2016>

Article 9-2 Deleted. <by Ordinance No. 6847, Mar. 22, 2018>

Article 9-3 (Support for Installation of Automatic Opening and Closing System of Emergency Doors)

(1) Where it is deemed necessary to install automatic opening and closing system of emergency doors under Article 16-2 of the Regulations on Standards, etc. of Housing Construction, the Mayor may subsidize part of such expenses for the multi-family housing, including public housing, determined by the Mayor within budgetary limits.

(2) Detailed operation standards under paragraph (1) shall be separately determined by the Mayor.

[This Article Newly Inserted by Ordinance No. 6602, Jul. 13, 2017]

Articles 10 through 13 Deleted. <by Ordinance No. 6191, Mar. 24, 2016>

Article 10 Deleted.

Article 11 Deleted.

Article 12 Deleted.

Article 13 Deleted.

ADDENDA

(1) (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

(2) Omitted.

(3) (Transitional Measure concerning Housing Master Plans)

Any housing master plan under the previous provisions as at the time this Ordinance enters into force shall be deemed the comprehensive housing plan under this Ordinance.

ADDENDA <Ordinance No. 4616, Apr. 3, 2008>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

Article 2 Omitted.

ADDENDUM <Ordinance No. 4754, Mar. 18, 2009>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 4793, May 28, 2009>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 4859, Sep. 29, 2009>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 4953, Mar. 2, 2010>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 5213, Jan. 5, 2012>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 5304, May 22, 2012>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 5506, May 16, 2013>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 5652, Jan. 9, 2014>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6016, Oct. 8, 2015>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6083, Jan. 7, 2016>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6191, Mar. 24, 2016>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6307, Jul. 14, 2016>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6602, Jul. 13, 2017>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6847, Mar. 22, 2018>

This Ordinance shall enter into force on the date of its promulgation.