

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 prescribe in detail 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 on May 28, 2009]

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows:

1. Deleted; <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" means housing 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 "senior citizen" 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 on May 28, 2009]

Article 3 Deleted. <Mar. 24, 2016>

Article 4 (Citizens' Efforts)

- (1) A citizen or a housing business entity shall endeavor to build housing in compliance with the residential standards under Article 17 of the Framework Act on Residence. <Amended on Mar. 24, 2016>
- (2) A housing business entity shall actively cooperate in the housing policies implemented by the Seoul Metropolitan Government in order to improve citizens' residential life, provide housing welfare, and improve the quality of housing and the urban landscape. <Amended on Jan. 7, 2021>
- (3) The Seoul Metropolitan Government, citizens, and housing business entities shall endeavor to make sure that the style and size of housing meet the following requirements, in consideration of the nature of each area: <Amended on Jan. 7, 2016>
 1. To secure the size of housing 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 senior citizens or persons with disability , in the case of housing units for dwelling by senior citizens or persons with disability;

5. To consider the application of crime prevention through environmental design.

[This Article Wholly Amended on May 28, 2009]

Article 5 Deleted. <Mar. 24, 2016>

Articles 5-2 Deleted. <Mar. 24, 2016>

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 Deleted. <Mar. 24, 2016>

Article 7 (Assistance in Private Rental Housing Projects)

(1) The Mayor shall endeavor to implement housing policies for the effective supply of housing, 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 with an appropriate residential environment.

[This Article Wholly Amended on May 28, 2009]

Article 7-2 (Percentage of Rental Housing in Housing Construction Projects)

"Percentage prescribed by ordinance of a City/Do" in Article 37 (1) of the Enforcement Decree of the Housing Act means 50/100. <Amended on Mar. 22, 2018>

[This Article Wholly Amended on May 28, 2009]

Article 7-3 (Purchase of Rental Housing)

Methods of the conclusion of a sales contract for and payment of the price for rental housing constructed by a project operator under Article 7 (2) shall be as follows: <Amended on Oct. 8, 2015>

1. The Mayor shall enter into a sales contract for rental housing (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 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 converted into sale in lots which applies at the time of sale of rental housing under Article 16 (3) of the Rental Housing Act;
4. The price for sale of rental housing 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, 10 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 the budget, when necessary, such as for the revitalization of rental housing projects.

[This Article Newly Inserted on 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 on Jan. 5, 2012]

Articles 7-5 Deleted. <Mar. 24, 2016>

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

Article 8 (Development of Residential Environment)

The Seoul Metropolitan Government, citizens, and housing business entities shall endeavor to develop housing and the surrounding environment in compliance with the following requirements: <Amended on Jan. 7, 2016>

1. To secure the right to light and parking space appropriate for each housing;
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 on 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 Rules on the Determination of Sale Price of Multi-Family Housing, subject to prior review by the Committee for the Examination of Sale Prices. <Amended on Sep. 29, 2009>

[This Article Wholly Amended on May 28, 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 for Housing Construction shall be applied by relaxing it to 0.5 ton (0.25 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 0.25 ton per household) <Amended on Jan. 7, 2021>

[This Article Newly Inserted on 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 for 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 facility subject to obligatory installation under Article 55-2 (6) of the Regulations on Standards for 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 on 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 for Housing Construction: <Newly Inserted on Jul. 14, 2016>

1. Commuting-system welfare facilities for senior citizens at home (Provided, That such facilities refer to the facilities that fall under Article 38 (1) 2 of the Welfare of Senior Citizens Act);
2. Welfare facilities for persons with disabilities (Provided, That such facilities refer 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 on Jan. 9, 2014]

Article 9 Deleted. <Mar. 24, 2016>

Articles 9-2 Deleted. <Mar. 22, 2018>

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 for Housing Construction, the Mayor may subsidize part of such expenses for the multi-family housing, including public housing, determined by the Mayor within the budget.

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

[This Article Newly Inserted on Jul. 13, 2017]

Article 10 Deleted. <Mar. 24, 2016>

Article 11 Deleted. <Mar. 24, 2016>

Article 12 Deleted. <Mar. 24, 2016>

Articles 13 Deleted. <Mar. 24, 2016>

Article 13 Deleted.

Article 14 (Establishment of Quality Inspection Group for Multi-Family Housing and Subject Matters of Quality Inspection)

(1) The Mayor may establish and operate a quality inspection group for multi-family housing comprised of experts in housing-related fields (hereinafter referred to as "quality inspection group") in order to ensure that multi-family housing in conformity with the details of a project plan is constructed through an inspection of the quality of multi-family housing, as prescribed by Article 48-3 of the Housing Act and the Enforcement Decree of the same Act.

(2) Multi-family housing subject to inspection by a quality inspection group under Article 48-3 (2) of the Housing Act and the Enforcement Decree of the same Act shall be any of the following:

1. Multi-family housing with at least 150 households;
2. A building constructed to have both housing consisting of at least 150 households and facilities other than housing, with building permission under Article 11 of the Building Act;
3. Other multi-family housing that the Mayor deems necessary.

[This Article Newly Inserted on Jan. 7, 2021]

Article 15 (Composition and Operation of Quality Inspection Group)

(1) A quality inspection group shall be composed of less than 500 persons who meet the qualifications prescribed by Article 48-3 (1) of the Housing Act and the Enforcement Decree of the same Act.

(2) The Mayor may organize and operate a quality inspection team comprised of up to 15 persons, including experts for each field such as building, landscaping, electricity, machinery, and fire-fighting, to conduct a quality inspection of individual multi-family housing, and further details shall be determined by the Mayor.

(3) The Mayor may conduct a quality inspection of housing through a quality inspection group before a pre-use inspection Article 49 (1) of the Housing Act, and may conduct quality a quality inspection within one month from the date of completion of the erection of frameworks of the relevant multi-family housing at the request of at least 1/10 of eligible residents.

(4) An eligible resident of multi-family housing may file an application for observation with the head of the competent Gu when a quality inspection of the relevant multi-family housing is conducted. The head of the Gu shall determine a group of observers in consultation with the applicant. Procedures for application for observation, the size of a group of observers, and methods of observation, and other necessary matters shall be determined by the head of a Gu.

(5) Where an inspection is conducted pursuant to Article 48-3 (2) of the Housing Act, at least three households including a household on the top floor shall be inspected with regard to an area for exclusive use.

[This Article Newly Inserted on Jan. 7, 2021]

ADDENDA <Ordinance No. 4418, Jul. 19, 2006>

(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.

ADDENDUM <Ordinance No. 7857, Jan. 7, 2021>

This Ordinance shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 14 and 15 shall enter into force on January 24, 2021.