

K-RERA TIMES



Vol 2 Issue 4

Newsletter from Kerala Real Estate Regulatory Authority

Show cause for 108 projects for not submitting QPR

The quarterly progress report is one of the main factors contributing to transparency in the sector

Thiruvananthapuram: The Kerala Real Estate Regulatory Authority (K-RERA) has served show cause notices to 108 real estate projects that failed to submit quarterly progress reports (QPR). Six projects were excluded due to de-registration and other cases. As per the Kerala Real Estate (Regulation and Development) Rules 2018, 17(1)(e), the real estate project promoters must submit progress reports online every three months. 623 real estate projects



registered in Kerala Real Estate Regulatory Authority. A total of 1226 projects registered before the commencement of the quarter Q2. The quarterly progress report is one of the main factors contributing to system transparency.

In addition, it is the right of allottees to know the quarterly progress of the allotted units of the registered projects through the K-RERA official website.

were to submit progress reports by October 7. However, only 509 projects have submitted the report online. As on October 7th 2024, 1301 real estate projects are

K-RERA Orders Refund in Tata Tritvam Apartment Dispute

Kochi: In a significant ruling, the Kerala Real Estate Regulatory Authority (K-RERA) has directed Tata Realty Infrastructure Limited to refund Rs. 40,86,685 to the complainants, Vivek Krishnamoorthy and his family, after deducting a booking amount of Rs. 10,00,000. The decision comes after a protracted legal battle regarding an apartment purchase in the Tritvam project at Marine Drive, Kochi.

The dispute began when the Krishnamoorthy family entered into an apartment buyer's agreement with Tata Realty on May 17, 2018, for a flat in Tower 5 of the Tritvam project. The complainants paid an advance of Rs. 40,86,685 towards the total consideration of Rs. 2,17,01,895. However, they alleged that Tata Realty failed to register the project under the Real Estate (Regulation and Development)



Act, 2016 (RERA) in a timely manner and that the agreement was not in compliance with RERA provisions. Tata Realty contended that the project received its occupancy certificate on August 2, 2019, thereby exempting it from RERA registration, as per a public notice issued by K-RERA on December 27, 2019.

However, following a Supreme Court ruling in November 2021, K-RERA withdrew this exemption through a subsequent public notice on December 22, 2021, and Tata Realty eventually registered the project on July 1, 2022.

The Authority concluded that there was no failure on the part of Tata Realty to

complete the project or hand over the apartment as per the terms of the agreement. Therefore, Section 18(1) of the RERA Act, which allows for a full refund with interest in cases of project delays, was not applicable.

However, citing clauses in the Kerala Real Estate (Regulation and Development) Rules, 2018, K-RERA ruled that the complainants were entitled to a refund after the deduction of the booking amount. Tata Realty has been directed to make the payment within 30 days, failing which the complainants have been granted the liberty to recover the amount through execution proceedings. The ruling marks the culmination of a nearly four-year legal battle and highlights the importance of timely project registration under RERA, offering clarity on the rights of homebuyers in similar cases.

K-RERA Empowers Homebuyers at the 'Canara Bank Housing Utsav'

For individuals planning to purchase a home, access to reliable and accurate project information is key to making confident investment choices. At the 'Canara Bank Housing Utsav' Mega Home Loan Expo, held on November 16, 2024, at Lulu Mall Trivandrum, K-RERA proudly showcased its commitment to empowering homebuyers.

Through our dedicated stall, we engaged with nearly 100 visitors, providing essential insights into the regulatory framework that safeguards their interests. Over 50 live demonstrations of the official K-

RERA website were conducted, ensuring attendees could navigate and utilize the platform effectively.

The overwhelming response and appreciation we received highlighted the value of K-RERA's efforts to uphold transparency and trust in the real estate sector.

K-RERA Secretary C Vinod Kumar, Canara Bank Trivandrum Circle General Manager and Circle Head K S Pradeep Kumar, Convener General, CREDAI Kerala and Executive Committee Member, CREDAI National, combinedly

inaugurated the event. K K Joshy, Assistant Vice President and Kerala Business Head (Advertisement), The Hindu, Canara Bank deputy general managers Ajay Kumar Singh, Saravanan S and AGM Srinivasa Kumar D were also present.

The event attracted hundreds of potential homebuyers eager to explore their financing options and gain insights into the home buying process. Twentyone leading builders showcased their ongoing and upcoming projects.



K-RERA Secretary (Technical and Administration) delivering the inaugural address at the 'Canara Bank Housing Loan Utsav'



Krishna Kumar R, Software Engineer, K-RERA demonstrating the K-RERA website to the visitors of Canara Bank Housing Loan Utsav



The public visiting the stall of K-RERA at the 'Canara Bank Housing Loan Utsav'

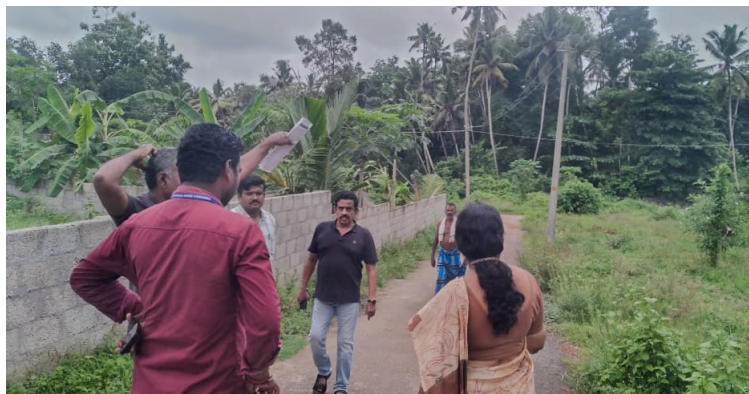


K-RERA Secretary C Vinod Kumar, Canara Bank Trivandrum Circle General Manager and Circle Head K S Pradeep Kumar, Convener General, CREDAI Kerala and Executive Committee Member, CREDAI National, visiting the K-RERA stall after inaugurating the event.

K-RERA Technical Team Inspects Projects for Violations and Incomplete Amenities

The Kerala Real Estate Regulatory Authority conducted inspections on several real estate projects in Trivandrum District following the orders by the Authority. The inspections were conducted after multiple complaints were filed by property owners and associations regarding incomplete amenities, lack of approvals, and non-compliance with regulatory requirements.

Across the projects, it was found that while residential units were occupied, many essential services and common amenities promised to the buyers remained incomplete or non-functional. Some projects lacked essential infrastructure, such as adequate water supply systems,



K-RERA Technical Consultant Durga S J during a site inspection at Parasala Grama Panchayat

drainage facilities, and recreational spaces, leaving residents dissatisfied.

In addition to the incomplete amenities, it was revealed that some projects had not received necessary permits from local governing bodies, and certain ongoing developments were not registered under the Real Estate Regulatory Authority (RERA), as required by law.

K-RERA issues notices to the developers for non-compliance with regulations, including failure to register projects and misleading advertising.

Further hearings are expected, and penal action may be initiated

based on the findings. Every promoter shall register Real Estate projects with K-RERA before advertising/ marketing/ booking/ selling/ offer for sale. All the advertisements, and marketing/ publicity materials of the project should display the RERA registration number and QR code.

Development of a Plot/ Flat/ Villa in more than 500 sq. m of land is a registrable Real Estate Project under Real Estate (R&D) Act 2016. Home buyers may ensure that they buy only from registered projects.



Attention Homebuyers!

Homebuyers may ensure that they buy flats/villas/plots only from registered projects. Visit the K-RERA website to know whether the project is registered, and to know the details /progress of the registered projects.

rera.kerala.gov.in



Issued in Public Interest by Kerala Real Estate Regulatory Authority



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