

The "Rent (Control) Law", adopted by the Cyprus Turkish Federal Assembly on 14 April, 1981, is announced by the President of the Turkish Cypriot Federal State by publishing it in the Official Gazette in accordance with Article 74 of the Constitution.

Number : 17/1981

RENT (AUDIT) LAW

(22/1981, 35/1982; 48/1983 ve 27/2011 as amended by Laws)

The Turkish Cypriot Federated Assembly makes the following Law:

FIRST PART

START

- Short name. 1. This Law is called the Rent (Control) Law.
- Commentary. 2. Unless the text requires otherwise in this Law;
- "Family" includes a person's spouse, child, and those to whom he and his spouse are legally dependent and actively care for the purposes of this Law.
- "Service" includes water supply, the supply and maintenance of electric current, elevator, cleaning or sweeping services, or any privilege or convenience related to the use or saving of the immovable property by the tenant.
- "Residence" means a building or part of a building located within the control zone and rented separately for residential purposes and disposed exclusively or primarily for this purpose.
- However, it does not describe any immovable property that is the subject of a valid and effective contract between the lessor and the tenant, subject to the provisions of Article 15.
- "Workplace" means any immovable property that is rented and disposed for any business, craft, profession or public service purposes within the control zone, subject to the provisions of the Constitution and the Law.
- However, 15. It does not describe any immovable property that is the subject of a valid and effective contract between the tenant and the lessor, subject to the provisions of the article.
- "Rent" includes any fee paid for services, or in cases where an immovable property is rented as furnished or an immovable property is rented and the furnishings in it are rented to the tenant by the lessor, any fee paid as rent or rent for the use of the furnishings.
- However, this interpretation does not cover any lease agreement related to furnished rooms rented except for the purpose of establishing residence.
- "Lease relationship" refers to the lease or disposal of an immovable property based on a written or otherwise established lessee-tenant relationship.
- However, this commentary does not cover any lease agreements for furnished rooms rented for meals.
- "Control zone" refers to any zone declared as a control zone by the decision of the Council of Ministers pursuant to Article 3 of this

Law.

"Tenant" refers to the tenant of an immovable property due to an existing lease relationship; and

- (1) Legal tenant;
- (2) The tenant of any lessee or any person who has acquired rights from the primary tenant or the tenant of the tenant;
- (3) It also includes a member of the tenant's family who resides with the tenant for at least six months before the tenant's death, in cases where the tenant who resides with him at the time of his death does not leave his widow or widow or the tenant is a woman.

"Lessor" or "landlord", in relation to any immovable property, other than the tenant, any person who has or will be entitled to possession of the immovable property in accordance with the rules of this Law, and a person who rented the immovable property or any part of the rented immovable property in case of leasing to another tells the tenant.

"Court" refers to the county court where the immovable property is located.

"Non-movable property" refers to immovable property subject to lease and disposed for residence or workplace purposes.

However, immovable properties used for defense and agricultural purposes are not covered by this interpretation.

"Legal tenant" refers to the tenant who continues to hold the relevant immovable property in the event of the termination or termination of a lease, and includes those who own a home in accordance with Article 1 of the Provisional Rules in Part Six of this Law.

2.22/1981

Enforcement of the law and determination of control zones.

3. (1) The Council of Ministers may declare an inspection area with a decree to be published in the Official Gazette in order to ensure the existence of residences and workplaces in return for rent in accordance with the rights and justice in terms of public peace, and in cases where the public interest requires. It is applied to immovable property that is saved for workplace purposes.
- (2) The Council of Ministers, with a decree to be published in the Official Gazette, may exempt any residence or workplace or a class or group within the control zone from the rules of this Law completely or conditionally.
- (3) The Council of Ministers will be published in the Official Gazette, and this article (1). In cases where it is deemed that the circumstances and conditions leading to the issuance of the decision, or where the public interest requires it, it may annul the said decree. In such cases, the application of the rules of this Law in the relevant region terminates depending on the conditions specified in the annulment decree.

SECOND PART
COURT

- Trial procedure.
27/2011
- 27/2011
- Review of court
decisions.
4. (1) Any lawsuit to be filed pursuant to the rules of this Law or a request to be made shall be decided by the Court within three months at the latest from the date of notification.
- (2) The Court shall apply the rules of procedure and testimony applied in civil cases when listening to a case or request under the rules of this Law.
- (3) The appeals to be made against the decisions to be made pursuant to the rules of this Law are heard and decided within three months at the latest from the notification date of the appeal notice.
5. A court decision made pursuant to the third part of this Law may be revised, amended or revoked at any time due to any of the following clauses:
- (1) After the decision, in the event of rented events or a substantial change in the situation and conditions;
- (2) If the decision was made as a result of fraud, deception or error;
- (3) In the event that there is a new testimony on the basis that cannot be presented despite reasonable effort at the time of the decision;
- (4) If the decision was made in the absence of any of the parties, without fault or negligence.

THIRD PART
RENTAL DETERMINATION

- Determination of
immovable
property rents.
6. The rents of immovable properties whose contracts have expired or terminated before or after the effective date of this Law may be re-determined between the parties.
- However;
- (1) If there is no agreement between the parties on the determination of the rent, the parties have the right to apply to the court by means of a notice and demand the court to determine the new rent.
- (2) The court, in the light of the application made;
- (a) The date of construction of the immovable property, its cost at that date, the type of material used, its location, its distance and proximity to the city center, the building's suitability for use;
- (b) Financial status of the tenant and the lessor;
- (c) The amount of income and benefits and taxes and repair costs obtained from the immovable property until the date of application to the court, based on the date on which the first income and benefits are obtained;
- (d) Considering the normal rental status of similar immovable properties in the light of this Law, it

- 2.35/1982 (3) deviates the new reasonable rent in accordance with social justice.
- 2.48/1983 (4) For the purposes of this and of Article 15, the `` court " refers to any judge who sees the appeal, irrespective of the amount at issue.
- 27/2011 The court, above (2). The new lease determined within the framework of the rules of paragraph becomes valid starting from the date of assignment.

PART FOUR
ACHIEVING SAVINGS

- Reasons for evacuation. 7. (1) The order or order regarding the evacuation of any immovable property within the scope of this Law is given only in the following cases:
- 27/2011 (a) If the rent due by law is not paid within one week from the last day of the due date or no payment proposal is made;
However, for the purposes of this paragraph, if the rent is sent to the person entitled to receive it by registered mail, it is deemed to have made a payment offer; or
- 27/2011 (b) Any lease obligation established in accordance with the rules of this Law (except for the rental payment obligation) (if it arises from the rules of this Law or the lease contract) is violated or not fulfilled by the tenant; or
- (c) The tenant or any person who saves the immovable property depending on the tenant (under him) behaves in a manner that disturbs or continuously harass the persons who save or use the same or neighboring immovable property, or has used or allowed to use the immovable property in a manner contrary to the law or morality. in cases; or
- (d) In cases where the condition of the immovable property deteriorates due to the destructive act or negligence or deliberate behavior of the tenant, in the opinion of the court, or the rent has caused extensive damage or damage to the immovable property; or
- 27/2011 (e) In the event that the rental relationship is terminated with an eviction notice given by the tenant; or
- (f) The tenant accepts the immovable property as a boarding tenant or leases the immovable property to someone else or gains direct or indirect gain by giving up the possession of the immovable property in any other way, or
- 27/2011 (g) In the case that the owner of the immovable property is in reasonable need of his wife or any of his children who are over eighteen years old;
- (h) In the event that the immovable property or any part of the immovable property is lent to the lessee by the lessor due to his employment and the employment is

- terminated and any worker who is constantly working in the business or service of the immovable property is in a reasonable need for the purpose of saving; or
- 27/2011 (i) If the owner needs the immovable property for the purpose of modification or new construction or demolition of the immovable property, and the court is satisfied that the license required for the modification, construction or demolition has been obtained by the landlord and a written notice is given to the tenant for the evacuation of the immovable property not less than one month.;
- 15/1962 (i) In cases where it is necessary to evacuate the immovable property in order to implement the development project in accordance with any law; or
(j) In the event that the immovable property or any part of it is expropriated under the Forced Property Acquisition Law or any law granting expropriation authority; or
(k) In the event that the immovable property is reasonably required for the fulfillment or use of the legal duties and powers of any local authority or for any public benefit in the opinion of the court; or
(1) In cases where the court considers it reasonable to issue a decision or order for evacuation and the tenant is satisfied that there is another real property available or that the order or order will be available at the time of entry into force.
- 27/2011 (2) In making an order or order pursuant to this article, the court may suspend the eviction for up to three months, postpone the evacuation or postpone the acquisition of the disposal, on conditions that it considers reasonable, provided that the tenant pays any amount that he or she owes legally, excluding rent balances.
(3) For the purposes of this article, the "court" refers to the President of the District Court, the Senior District Court Judge or a District Court Judge, regardless of the amount in the case.
(4) The court fees and attorney fees for the transactions made pursuant to this article are regulated in accordance with the rules of procedure in force on the basis of the annual lease paid for the immovable property subject to the case at the opening date of the case.
- Paying compensation to the tenant in some cases. In some cases, re-establishment of a lease relationship between the tenant and the lessor.
8. It has been repealed by the (Amendment) Law No. 27/2011.
9. It has been repealed by the (Amendment) Law No. 27/2011.

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| Obtaining a judgment or order by deception. | 10. After the lessor has obtained a disposition or eviction order or order pursuant to this Section, if the court proves in court that the provision or order was obtained by misrepresentation or concealing the facts, the court shall seek compensation for the damage or loss suffered by the former tenant as a result of the judgment or order. He may order that an amount of compensation he deems sufficient is paid by the lessor to the tenant. |
| The court's mandate to impose conditions. | 11. The Court shall consider the conditions under which the Court considers it appropriate to put into effect the purposes of this Law, including that one of the parties pays the other any amount determined by the parties, in addition to any order on an application made under this Part, or as a substitute for any order. may order, at its discretion, to comply with any or both of the requirements. |

FIFTH
MISCELLANEOUS RULES

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| Legal tenancy conditions. | 12. (1) A tenant who owns an immovable property pursuant to the rules of this Law is obliged to comply with the terms and records of the lease contract in accordance with the rules of this Law during the disposal period and benefit from the benefits that this contract gives him. Such a tenant can only return the savings on the condition that a notice is given as stipulated in the main lease agreement.

(2) In the event that the lessor does not make the substantial repairs to be made, the Court orders that, upon the application of a legal tenant, the necessary substantial repairs are carried out by the lessee to be paid by the lessor, and that the tenant deducts the repair costs deducted from the lease if the lessor does not pay such repair costs. |
| Effects of the savings order on the tenant of the tenant. | 13. (1) In the event of an eviction order or order against the tenant of any immovable property, such provision or order cannot be enforced against the tenant of such tenant unless the Court is satisfied that the lease contract prohibits the tenant from renting the immovable property to another person or that the tenant's tenant is using it for unlawful or immoral purposes. Any evacuation order or order issued against the tenant must state whether the provision or order will be enforced against the tenant's tenant as well.

(2) If the tenant of the tenant, whose execution of such a provision or order is not possible, continues with the savings, following the notification of the provision or order, the tenant's tenant loses his status and becomes the legal tenant of the landlord regarding the immovable property in his possession. |
| Notification of notices. | 14. (1) Any notice, application, request or other document made pursuant to this Law shall be in writing and shall be given |

to the person to be notified or left to his / her last residence or business address in the Turkish Republic of Northern Cyprus or It can be notified to the last known postal address in the Turkish Republic of Cyprus by sending a registered post and the person to be notified includes any attorney duly authorized by him.

- (2) Unless the tenant of any possessions receives a written notice that the right has expired from the person who is entitled to the lease of such immovable property (hereinafter to as the original leasing) and that the name and address of the person entitled to such leases, any notice, application, request or other document provided to the original rentals under this law shall be deemed notified to the leased of such non-responsible property.

Contracts
27/2011

15. (1) The lease period specified in the agreement, in the event of any difficulty in the fulfilment of the terms of the agreement by lessee, in the event of non-performance of the obligations assumed under the agreement, the lessor has the right under Article 6 of this Law to terminate the agreement and sue without waiting for the lease term to expire.
- (2) The term of the lease specified in the agreement, the lessor in the event of failure to comply with the terms of the agreement, irrespective of the reasons why the lessee cannot enforce the terms of the agreement, or of failure to comply with the terms specified in the agreement itself, according to the sixth article of the law, the lessor has the right to apply to the court without waiting for the expiry of the lease.
- (3) The court shall terminate the agreement and the tenant shall be legal, starting from the date of decision, if the court justifies the application under the preceding paragraph of this article. In this case, the court determines the amount of rent according to these laws.
- (4) The laws of this article refer to the immovable property in use.

Legislate
Chapter 86
17/1961
39/1961
1/1968
18/1973

16. According to the Law, the terms of the rent in the Point 86 Rent Act (Control), or a modified version of 1961 Rent Audit (Industrial Buildings), 1967 Rent location and Audit (Temporary Solutions) Article and 1978 of the Law on Suspension of Residential Tenancy (Temporary Rules) are moved from the subpoena.

2/1978

Rental
balances.

17. The question, which has been withdrawn under the legislation of 21 December 1963 and January 1974, is suspended. Only in the event of reinstatement of the lessee's payment capacity, either in full or in part, can the court examine the lessee's ability to obtain a lease and the issue a decree on the payment of the rent in whole or in part.

SIXTH PART TEMPORARY

Temporary
topic
3.22/1981
18/ 1973
2/ 1978

1. (a) These Rules of Law are based on cases filed under the Rent Control (Provisional Provisions) Act of 1973, Freezing Housing (Provisional Rules) Act 1978 and the Tort Law (Chapter 148) after the termination of the lease, which have not yet been finalized. It also applies to persons who actually save on the subject dwellings or such dwellings and who have not yet executed any evacuation decision made under the laws mentioned above..

(b) The provisions and decisions within the scope of paragraph (a) above cannot be enforced in any way against those who actually hold the disposal of the relevant house. Such persons may continue to save as a "legal tenant" on the condition of paying rent in return for the "usage fee" determined in the relevant provision and / or decision, starting from the day of evacuation of the house or dwellings ordered to be evacuated in the relevant provision and / or the decision to suspend the execution of such a provision. they are entitled.

Fasil 148

Temporary
topic.

2. Until the Council of Ministers determines the inspection zones pursuant to Article 3 of this Law, and in any case within a period not exceeding two months from the date of entry into force of this Law, the court shall refer to the immovable property within a radius of five miles from the Municipal Office of each municipality for any immovable property rented. he cannot give an evacuation order or order.

Temporary
topic
27/2011

1. The rules of this (Amendment) Law do not apply to cases filed prior to the entry into force of this (Amendment) Law.

PART SEVEN

FINAL RULES

Entry into
force.

18. This Law enters into force as of the date of its publication in the Official Gazette.