

REAL ESTATE REGULATORY UPDATE

APRIL 18, 2024

LAGOS STATE GOVERNMENT GRANTS A NINETY (90)-DAY AMNESTY PERIOD FOR PROPERTY OWNERS AND DEVELOPERS WITHOUT PLANNING PERMITS TO OBTAIN THE REQUISITE PERMITS

Background

The Lagos State Urban and Regional Planning and Development Law, 2019 (the “**Law**”) and the regulations made thereunder, prohibit the commencement of construction works within the State without obtaining a Planning Permit from the Lagos State Physical Planning Permit Authority (the “**Authority**”). Any building constructed without a Planning Permit shall be deemed an illegal structure, and liable to demolition, unless the developer is willing to regularize (assuming that the building is structurally sound and not defective/distressed) by obtaining the requisite Planning Permit and payment of the prescribed fees and the **appropriate penalty**.

Lagos State Government’s Intervention

The Lagos State Government recently issued a public notice granting a ninety (90)-day amnesty period, from May 2, 2024, to July 30, 2024 (the “**Period**”), to property owners and developers of completed structures in Lagos State who are yet to obtain

Planning Permits for their structures. During the Period, concerned persons will be permitted to approach the Authority in order to obtain Planning Permit without incurring the applicable statutory penalties.

Applicants seeking to benefit from this intervention are expected to approach the district office of the Authority in charge of the location where the property is situate, in the fifty-seven (57) Local Government Areas and Local Council Development Areas of the State with relevant documents¹ and also submit the documents to the Electronic Planning Permit (EPP) office at the Authority’s head office. In addition to the waiver of penalty, a 5% discount will be given to applicants who pay the assessed fees for the Planning Permit within ten (10) business days of issuance of an assessment.

Conclusion

The government’s intervention is not only timely but also a welcome development to cushion the effect of the economic hardship currently experienced in the country. More importantly, it is expected that the initiative should assist in identifying and dealing with some of the structurally defective/distressed buildings in the State at a time like this when the number of buildings collapsing in the State is on the increase.

1. i. Title document / proof of ownership;
- ii. Survey plan;
- iii. Architectural drawings (as-built);
- iv. Structural, electrical, and mechanical drawings (where applicable);
- v. Non-destructive integrity test report (where applicable);
- vi. Letter of structural stability and indemnity (where applicable);
- vii. Land use planning analysis report;
- viii. Evidence of applicant’s compliance with tax obligations; and
- ix. Other supporting documents (where applicable).

DISCLAIMER: This article is only intended to provide general information on the subject matter and does not by itself create a client/attorney relationship between readers and our Law Firm or serve as legal advice. We are available to provide specialist legal advice on the readers' specific circumstances when they arise.

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