

Regulating alterations within flats

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Last week we discussed the nature of the problem of alterations in a Cooperative Housing Society (CHS). While it is not practical to disallow alterations as a policy, it is certainly possible and necessary to *regulate* them to ensure that they are safe and acceptable.

The regulators:

The people who can regulate alterations are:

1. Owner of the flat
2. Structural Consultant
3. Municipal Corporation or such Authority
4. Managing Committee of the CHS

The Managing Committee (MC) can regulate the alterations by adopting the following step-by-step procedure:

Steps:

1. First the owner prepares a description of the intended alterations and a plan depicting them.
2. Owner appoints a Structural Consultant at his cost, who inspects the flat and also the neighbouring flats, if necessary, and prepares a structural feasibility report covering:
 - Effect on structural stability of the building
 - Seepage into neighbouring flats
 - Internal structural repair necessary
 - List of precautions to be takenHe should also sign the plan after marking remarks, if any.
3. If the alterations contain works for which permission from the municipal corporation/ such Authority is necessary, the owner obtains the same at his cost.
4. Owner applies to MC for permission, enclosing a copy of the feasibility report, approved plan and a copy of the permission from Authority (if applicable). He should also state the approximate cost and duration for the work.
5. MC studies the proposal and may seek a second opinion from another structural engineer, if necessary, at the owner's cost. Then it informs the owner in writing, within a reasonable time, about its acceptance, partial acceptance (wherein some items are rejected) or rejection of the proposal. If the proposal is accepted, MC may specify certain conditions such as
 - Security Deposit and the conditions for its refund/ forfeiture
 - Duration of execution of work and Defect Liability Period
 - Working days and hours
 - Any other conditions dealing with the probable damage to society's property and inconvenience to its membersSecurity Deposit (a certain percentage of the approximate cost of alterations) is the amount the Society would hold as a security, to be used if the alterations give rise to problems of cracks, seepage etc to the neighbouring flats or the Society's property and if the owner does not rectify them at his cost. The period within which such problems are to be reported is the Defect Liability Period.
In case of partial acceptance or rejection, MC should give reasons for the same.
6. After accepting the conditions in writing and paying the security deposit, the owner may start the work. During the work MC may raise an objection or may stop the work if the conditions for proper execution of work are violated.
7. After the work is over, the Structural Consultant inspects the flat and issues a compliance certificate confirming that the work carried out is in accordance with the approved plan and specifications.
8. The owner submits the compliance certificate and the final certified plan to MC.
9. During the defect liability period, MC may direct the owner to repair or make good, at his cost, any distress observed in the neighbouring flats, building structure or common

areas, which can be attributable to the work concerned. If the owner does not act within a reasonable period, MC may use the security deposit for that purpose.

10. On completion of the defect liability period, MC regularizes the work and refunds the balance security deposit to the owner.

Beyond CHS:

The procedure discussed above can also be used by commercial and industrial societies.

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