Habitation licence Portugal

Description

- **Property in central Portugal**

Understanding Portugalâ€™s Dwelling License (LicenÃ§a de HabitaÃ§Ã£o) and Usage License (LicenÃ§a de UtilizaÃ§Ã£o) Exemptions

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1. Legal Framework: When is a Habitation License Required?

Under **Decree-Law No. 68/2004** (March 25), it became mandatory to provide a **Technical Record of the Building** (Ficha TÃ©cnica de HabitaÃ§Ã£o) when transferring ownership of a residential property. However, this requirement applies only to **new constructions**, with key exemptions:

Properties Exempt from Habitation License Requirements

âœ **Buildings constructed before August 7, 1951** (prior to the *General Regulation of Urban Construction*).
âœ **Buildings completed before 2004** that either:

- Already have a **Usage License (LicenÃ§a de UtilizaÃ§Ã£o)** issued by the local council (*CÃ¢mara Municipal*), **or**
- Had a license request **submitted before March 30, 2004** (when the law came into force).

2. Habitation License (LicenÃ§a de HabitaÃ§Ã£o) in Portugal

What is a Habitation License?

A **Habitation License** is an official document issued by the local municipality (*CÃ¢mara Municipal*) confirming that a residential property:
â€” Complies with **urban planning and building regulations**.
â€” Has been inspected and approved for **safe and legal habitation**.

When is it Required?

- **Mandatory for all residential properties built after 1951**.

- **Not required for pre-1951 buildings** (unless significantly renovated).
- **Necessary for property transactions** (sale, rental, or financing).

3. Usage License (LicenÃ§a de UtilizaÃ§Ã£o)

What is a Usage License?

This document certifies that a property (residential or commercial) aligns with its **original building permit** (e.g., residential, commercial, industrial use).

Key Requirements

- **Residential properties**: Must have a **Habitation License**.
- **Commercial/industrial properties**: Require a **Commercial/Industrial Usage License**.
- **Must be presented** at the **promissory contract stage** (Contrato de Promessa de Compra e Venda).

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4. New Construction: Dwelling Permit (for Post-2004 Buildings)

A **Dwelling Permit** for new constructions covers:
â€“ **Structural integrity** (foundation, load-bearing walls).
â€“ **Electrical installations** (except temporary power).
â€“ **Plumbing and mechanical systems**.
â€¢ **Does not cover**:

- Public works permits (water, sewer connections).
- Right-of-way or land use permissions.

5. Practical Implications for Buyers & Sellers

- **Pre-1951 properties**: No license required, but due diligence is advised.
- **Post-1951 properties**: Must verify **Habitation License** or **Usage License exemption**.
- **Post-2004 properties**: Full **Technical File (Ficha TÃ©cnica)** required for transactions.

Why Compliance Matters

- **Bank financing**: Most lenders require a valid Habitation License.
- **Legal security**: Avoid disputes over illegal constructions.
- **Resale value**: Licensed properties have higher marketability.

6. How ProDirecta Can Help

We assist with:
ðŸ”• **Verifying license status** (historical research at local councils).
ðŸ“ **Obtaining missing documentation** (for legalization if needed).

âš–ï¸• **Legal guidance** on exemptions and compliance.

ðŸ“© **Need clarification?** Contact us for a consultation tailored to your propertyâ€™s specifics.

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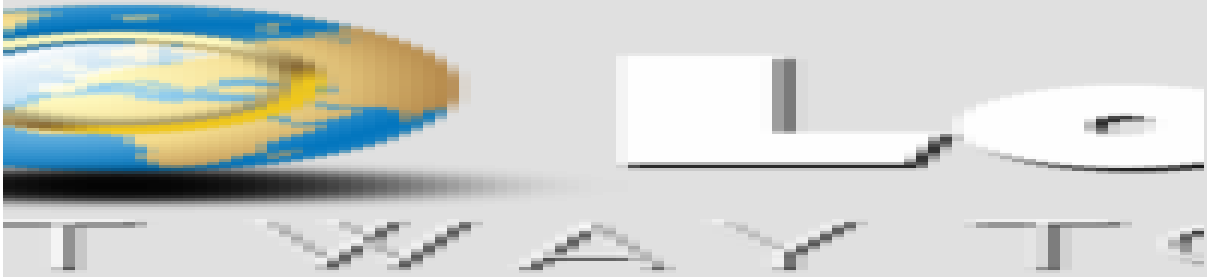


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