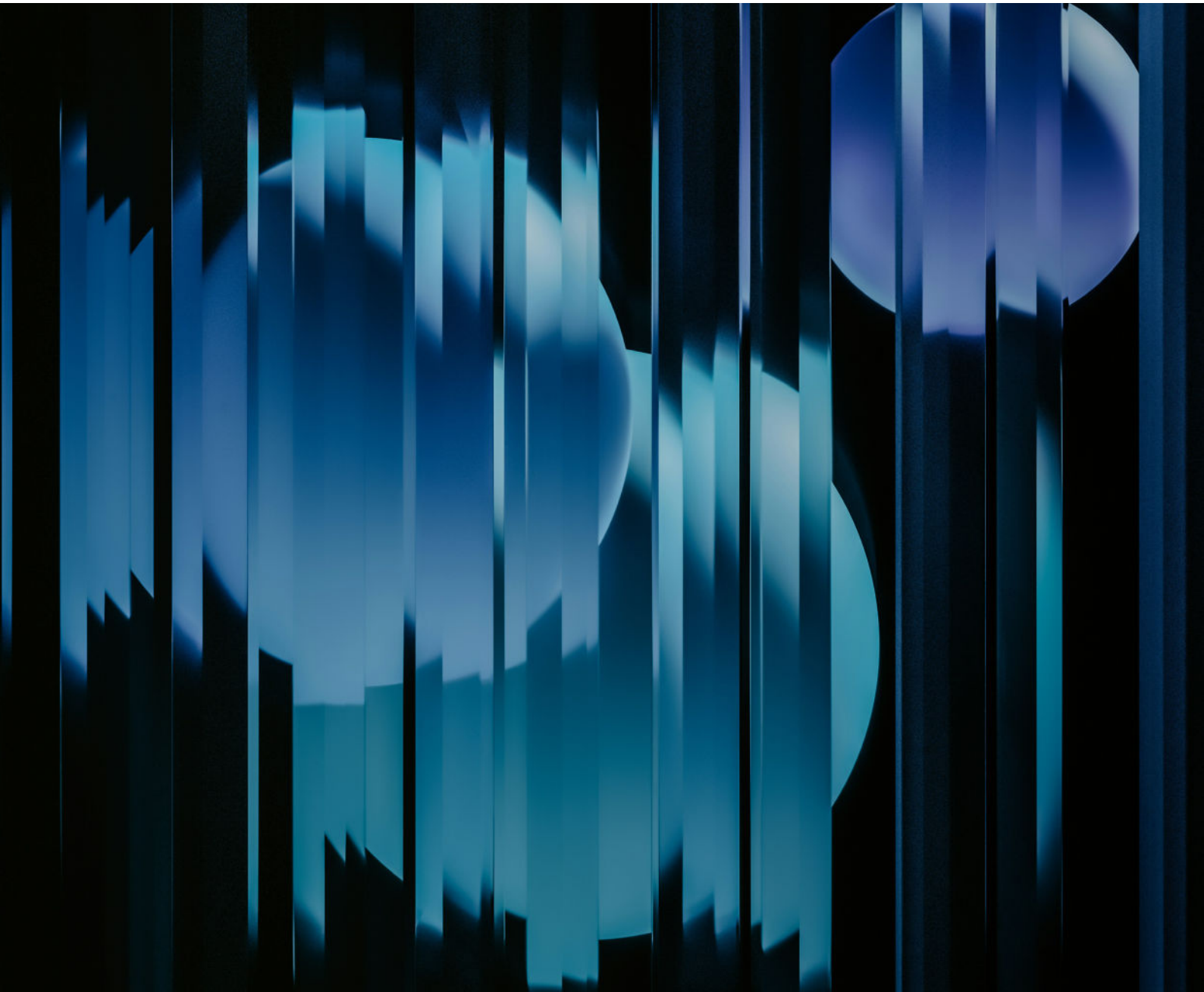


GENTEMIZER

Amendments to the Condominium Law: Operating Plan, Advances and Management Plan

June 2026



We had previously reviewed the key proposed amendments to real estate legislation introduced under the omnibus bill submitted to the Grand National Assembly of Türkiye on 9 January 2026, and we also held a seminar sponsored by our firm. That bill has now been enacted as Law No. 7579 on the Amendment of the Land Registry Law, Certain Laws and Decree Law No. 375, and was published in the Official Gazette dated 22 May 2026.

Although the enacted law covers several areas of real estate legislation, the amendments to Condominium Law No. 634 are particularly significant for the management of apartment buildings, residential complexes, and collective structures. These amendments introduce new rules regarding the preparation and approval of operating plans, the collection of advance payments by managers, the implementation of interim operating plans, and the decision quorum required to amend management plans in collective structures.

In this respect, the amendment to Article 35 of the Condominium Law links the manager's authority to collect advance payments to the period up to the unit owners' assembly's approval of the operating plan. Accordingly, the manager's authority to collect advance payments before approval of the operating plan is now placed within a more defined legal framework.

The amendments to Article 37 of the Condominium Law expressly provide that the operating plan must be approved by the general assembly of unit owners. If there is no operating plan approved by the unit owners' assembly, the manager must promptly prepare an interim operating plan. This interim operating plan must then be submitted to the general assembly of unit owners for approval, either as is or as amended, within three months.

The amendment is also significant where an existing operating plan is already in place. In such cases, the amount to be set under the interim operating plan must be determined by reference to the existing operating plan amount, effective from the beginning of the calendar year, and may not exceed the applicable revaluation rate (yeniden değerlendirme oranı). The interim operating plan must then be submitted to the unit owners' assembly in accordance with the prescribed procedure. In this respect, the amendment introduces a limitation particularly for interim operating plans prepared by the manager, while preserving the general assembly of unit owners as the ultimate decision-making body.

In addition, the amendment to Article 70 of the Condominium Law reduces the decision quorum required to amend management plans in collective structures from four-fifths to two-thirds, and expressly provides that provisions of management plans contrary to this rule will not apply. This change may make amendments to management plans in collective structures more practicable compared to the previous regime.

In conclusion, the enacted amendments introduce clearer rules for the approval of operating plans, the use of interim operating plans, and the collection of advance payments in apartment buildings and residential complexes. Accordingly, professional property managers, collective structure managements, and unit owners' assemblies should promptly review their existing operating plans, management plans, and decision-making processes in light of the new legal framework.

GenTemizer is a Turkish law firm based in Istanbul, Türkiye. We advise various businesses in relation to their investments, M&A, competition law/antitrust, project financing and construction projects as well as on operational and dispute resolution matters in the context of the Turkish regulatory framework. We have also advised investors in relation to government sponsored privatisation projects.

We are listed in *Legal 500*, *IFLR1000* and *Chambers and Partners* as one of the leading law firms in Türkiye. Each of our partners have also been recognised as one of the leading lawyers in Türkiye. We understand and can meet the demanding requirements and innovative, responsive thinking required for an investment transaction in Türkiye.

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