

Stratulat Albulescu obtains a landmark decision and wins the trial against Bucharest General Mayor



The current Mayor's practice of stopping real estate development in Bucharest by refusing to put urban planning documents on the agenda of the General Council of the Municipality of Bucharest or by challenging existing normative administrative deeds (PUZs) and individual administrative deeds (building permits) is a matter of notoriety.

Stratulat Albulescu has successfully represented one of the largest residential developers in Romania, in obtaining a landmark decision by the Bucharest Court of Appeal.

The court rendered a final court ruling by which upheld our claim against the Bucharest Mayor to put on the agenda of the following meeting of the General Council of Bucharest the approval of the urban zonal plan (PUZ) proposed by our client, active on the real estate market.

This is an excellent result, and the court decision is significant, considering the fact that for more than three years, the General Council of Bucharest has not voted/approved any PUZ regardless of its location and specificity, without providing a justification to the beneficiaries. In addition, the final decision was rendered in a context in which favourable court rulings on this subject are lacking.

Basically, in other cases, the Mayor succeeded through various procedural or substantive exceptions and tricks (exceptions of illegality, revocation of the approval report issued by the previous Mayor), to persuade the courts that the administrative procedure would not be complete or the PUZ does not comply with all the legal requirements and therefore the draft PUZ could not be inserted on the agenda of the General Council of Bucharest.

Currently, there are more than 100 PUZ projects pending for approval. Real estate developments are blocked without having a clear picture of the moment when things will move further and the PUZs shall be voted.

The Stratulat Albulescu team representing the client was led by Partner **Adriana Dobre** and included Senior Associate **Mihai Iorga**.