



THE EFFECTS OF LAND READJUSTMENT METHOD IN INFORMAL SETTLEMENTS ON THE OWNERSHIP

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The aim of the paper

- The aim of the article is to examine a case in Istanbul that was applied according to the special LR from viewpoint of ownership structure in detail.

Keywords: Informal Settlements, Land Readjustment Method, Ownership, Turkey, Istanbul.



LEGALIZATION PROCESS

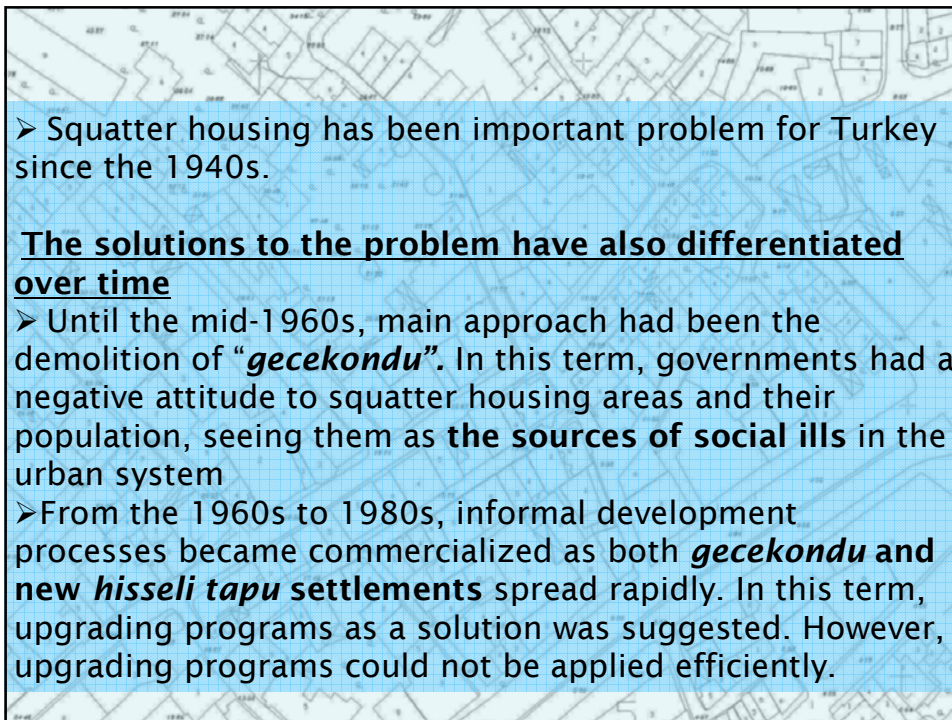
➤ The large numbers of people in most cities of the world have lived in informal settlements. Legalization of informal processes has been an important policy for countries.

➤ However, various studies from different parts of the world have demonstrated that the providing of legalization has not improved low-income access to land and prevented new illegal settlements



LEGALIZATION PROCESS IN TURKEY

➤ Legalization of informal processes has been an important policy for Turkey. More than half the population in three largest cities- Istanbul, Ankara and Izmir - live in settlements **squatting (*gecekondü*)** and **unauthorized subdivision (*hisseli tapu*)**.

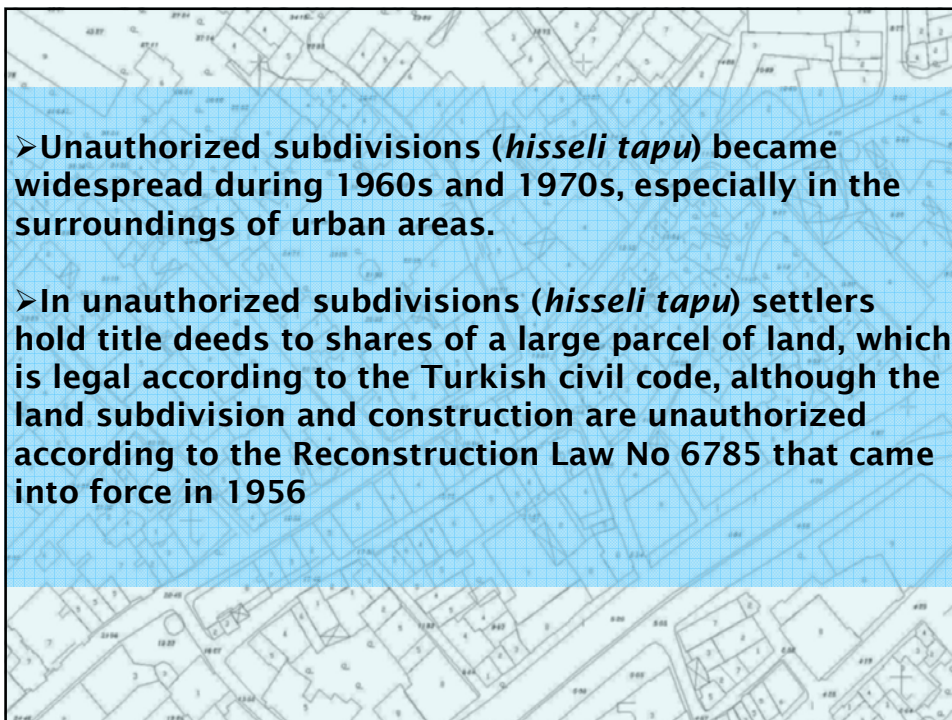


➤ Squatter housing has been important problem for Turkey since the 1940s.

The solutions to the problem have also differentiated over time

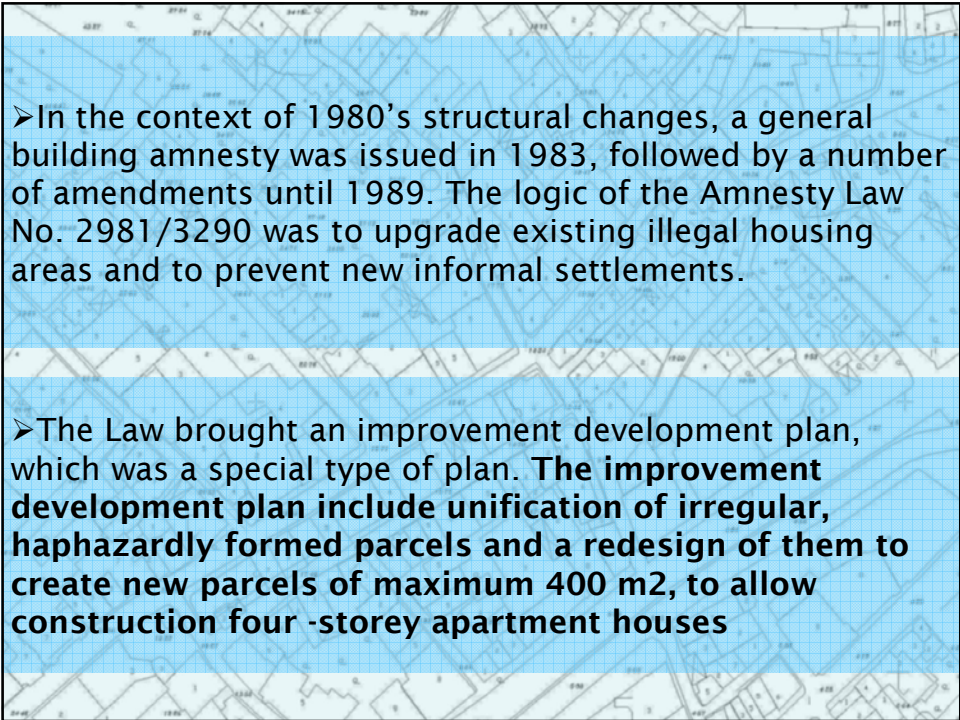
➤ Until the mid-1960s, main approach had been the demolition of “*gecekondular*”. In this term, governments had a negative attitude to squatter housing areas and their population, seeing them as **the sources of social ills** in the urban system

➤ From the 1960s to 1980s, informal development processes became commercialized as both *gecekondular* and new *hisseli tapu* settlements spread rapidly. In this term, upgrading programs as a solution was suggested. However, upgrading programs could not be applied efficiently.



➤ Unauthorized subdivisions (*hisseli tapu*) became widespread during 1960s and 1970s, especially in the surroundings of urban areas.

➤ In unauthorized subdivisions (*hisseli tapu*) settlers hold title deeds to shares of a large parcel of land, which is legal according to the Turkish civil code, although the land subdivision and construction are unauthorized according to the Reconstruction Law No 6785 that came into force in 1956



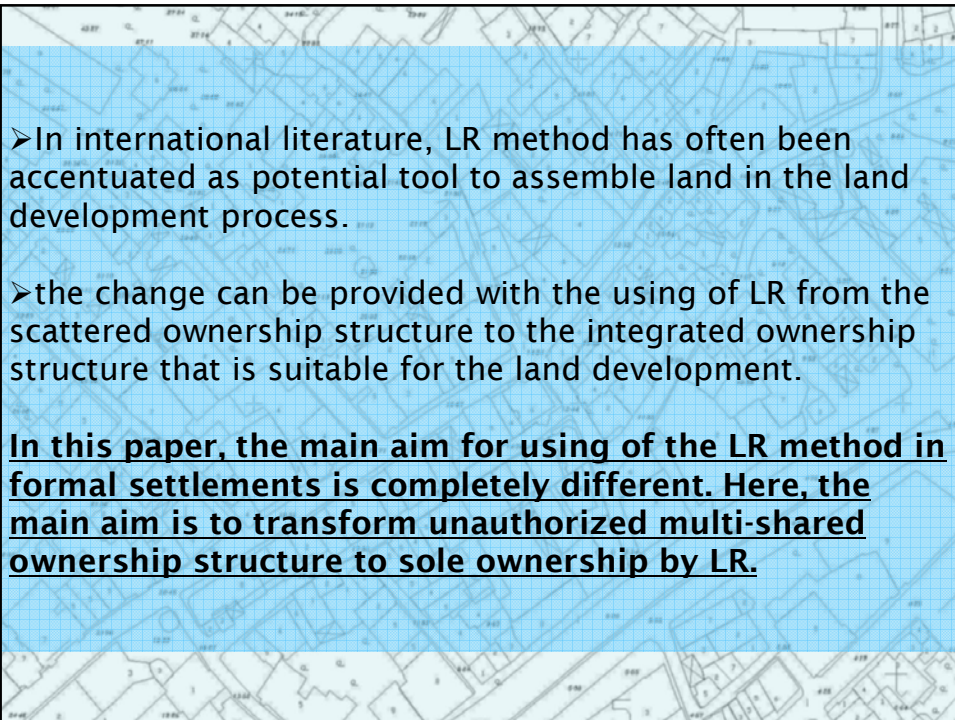
➤ In the context of 1980's structural changes, a general building amnesty was issued in 1983, followed by a number of amendments until 1989. The logic of the Amnesty Law No. 2981/3290 was to upgrade existing illegal housing areas and to prevent new informal settlements.

➤ The Law brought an improvement development plan, which was a special type of plan. **The improvement development plan include unification of irregular, haphazardly formed parcels and a redesign of them to create new parcels of maximum 400 m², to allow construction four -storey apartment houses**

LAND READJUSTMENT METHOD: AN INTRODUCTION

➤ Land readjustment (LR) is an essential method for creating a healthy, livable, and organized urbanization or for providing such qualities to the existing cities.

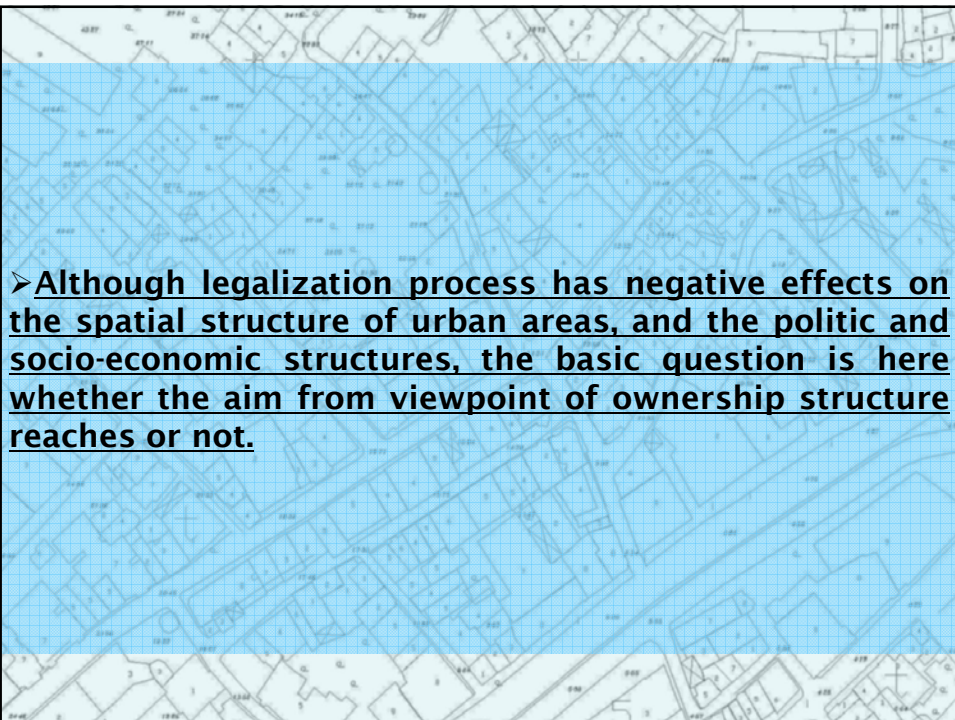
➤ In whatever country the method is applied, after a common share is allocated for public usage such as roads, parks, car parks, and the areas determined to be sold in order to cover project costs (in applications of some countries) from the total of all plots that fall into the LR area, the remaining areas are distributed to the landowners in proportion to either the area size or value criteria.



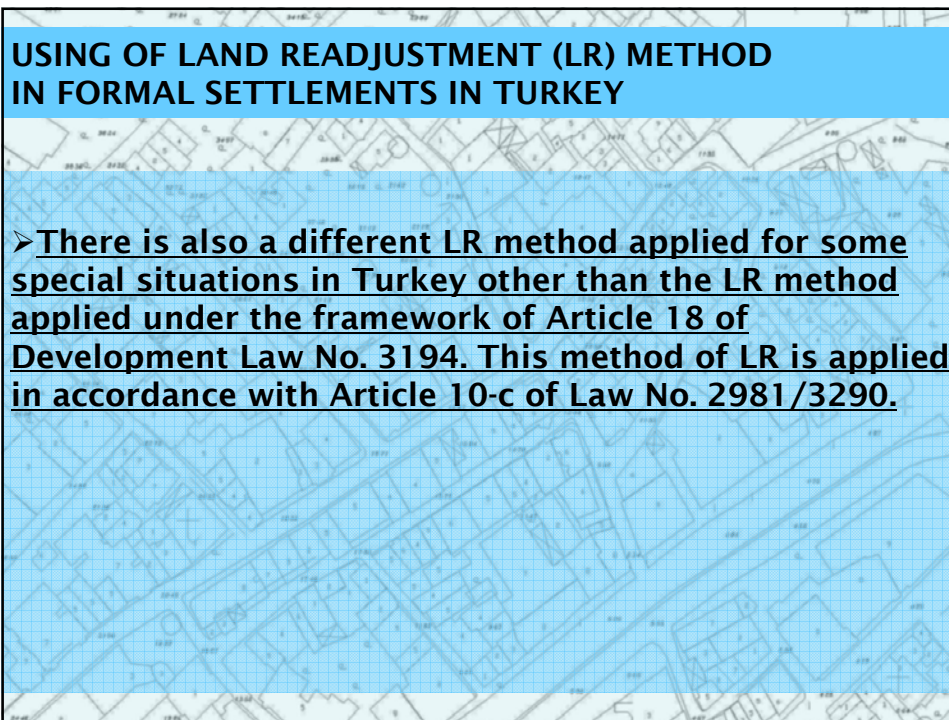
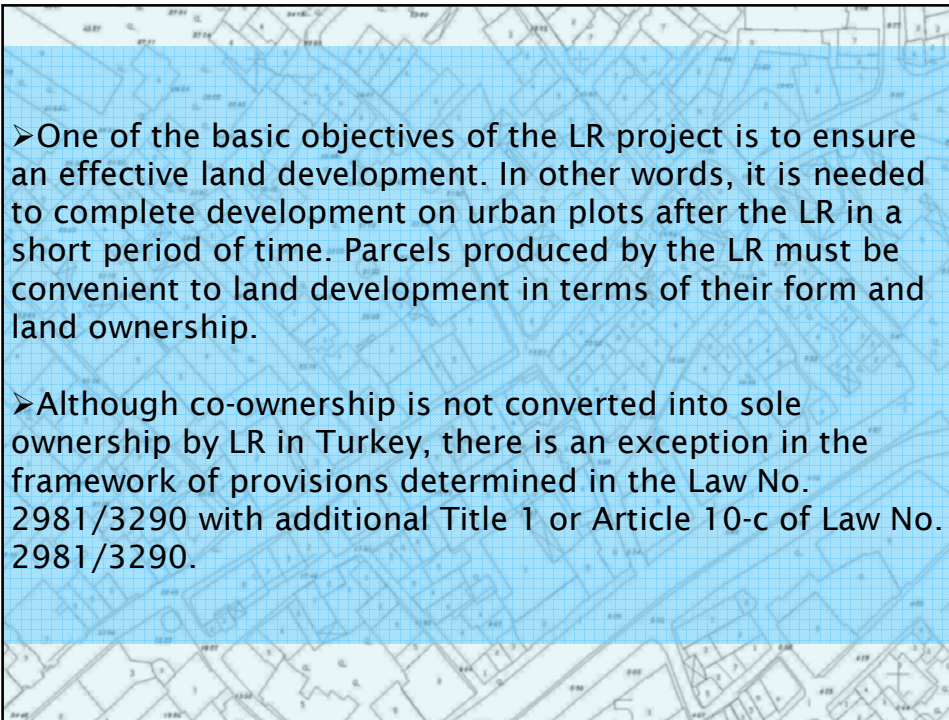
➤ In international literature, LR method has often been accentuated as potential tool to assemble land in the land development process.

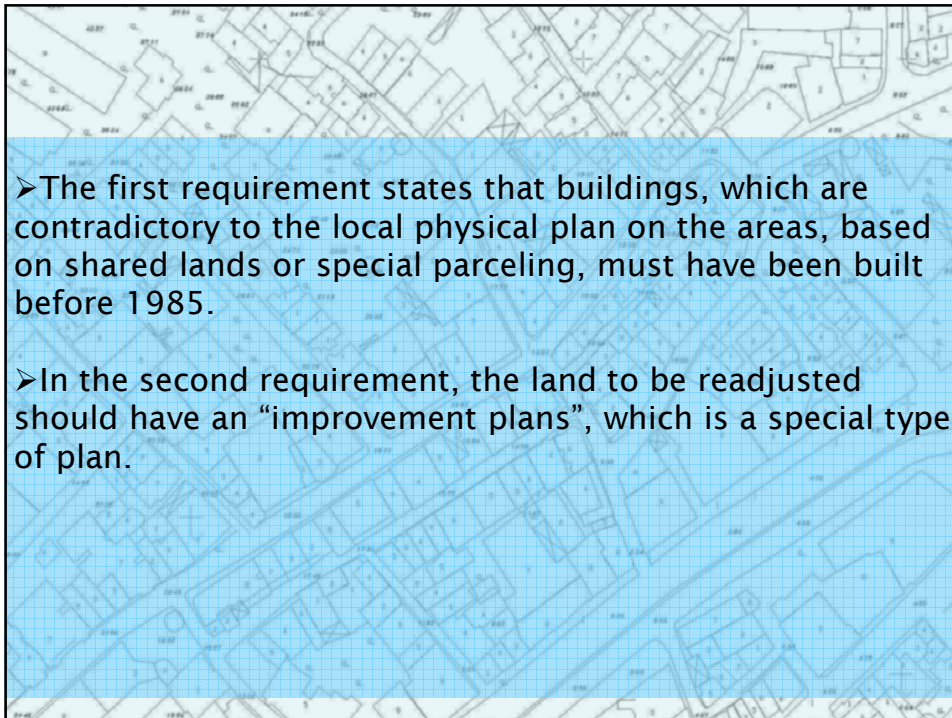
➤ the change can be provided with the using of LR from the scattered ownership structure to the integrated ownership structure that is suitable for the land development.

In this paper, the main aim for using of the LR method in formal settlements is completely different. Here, the main aim is to transform unauthorized multi-shared ownership structure to sole ownership by LR.

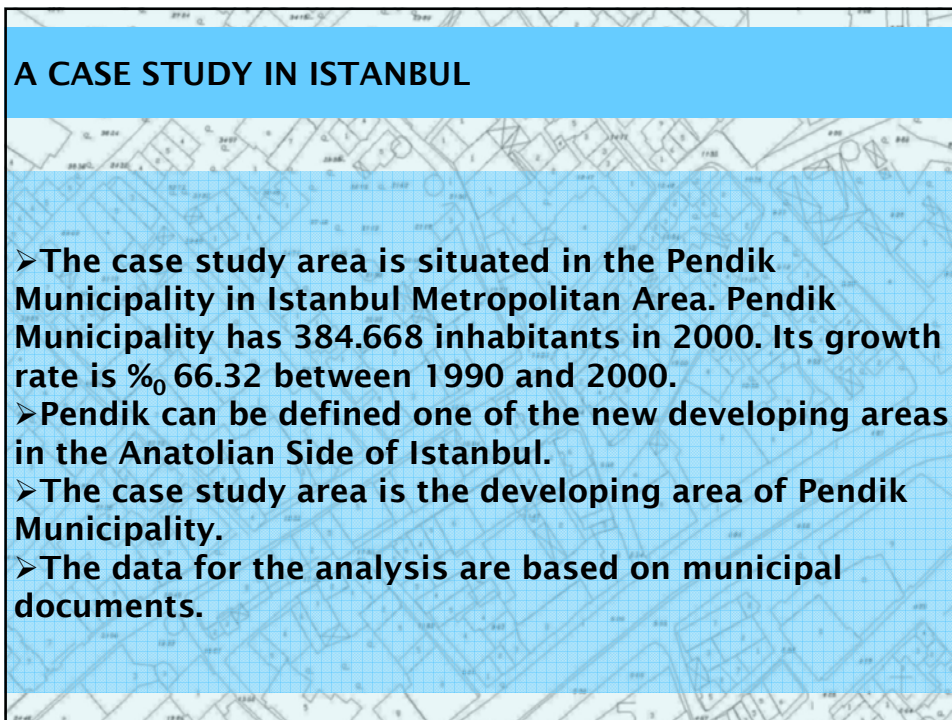


➤ **Although legalization process has negative effects on the spatial structure of urban areas, and the politic and socio-economic structures, the basic question is here whether the aim from viewpoint of ownership structure reaches or not.**





- The first requirement states that buildings, which are contradictory to the local physical plan on the areas, based on shared lands or special parceling, must have been built before 1985.
- In the second requirement, the land to be readjusted should have an “improvement plans”, which is a special type of plan.



A CASE STUDY IN ISTANBUL

- **The case study area is situated in the Pendik Municipality in Istanbul Metropolitan Area. Pendik Municipality has 384.668 inhabitants in 2000. Its growth rate is % 66.32 between 1990 and 2000.**
- **Pendik can be defined one of the new developing areas in the Anatolian Side of Istanbul.**
- **The case study area is the developing area of Pendik Municipality.**
- **The data for the analysis are based on municipal documents.**

Table 1. Profile related to before and after land readjustment

Before land readjustment

Number of cadastral parcel : 129

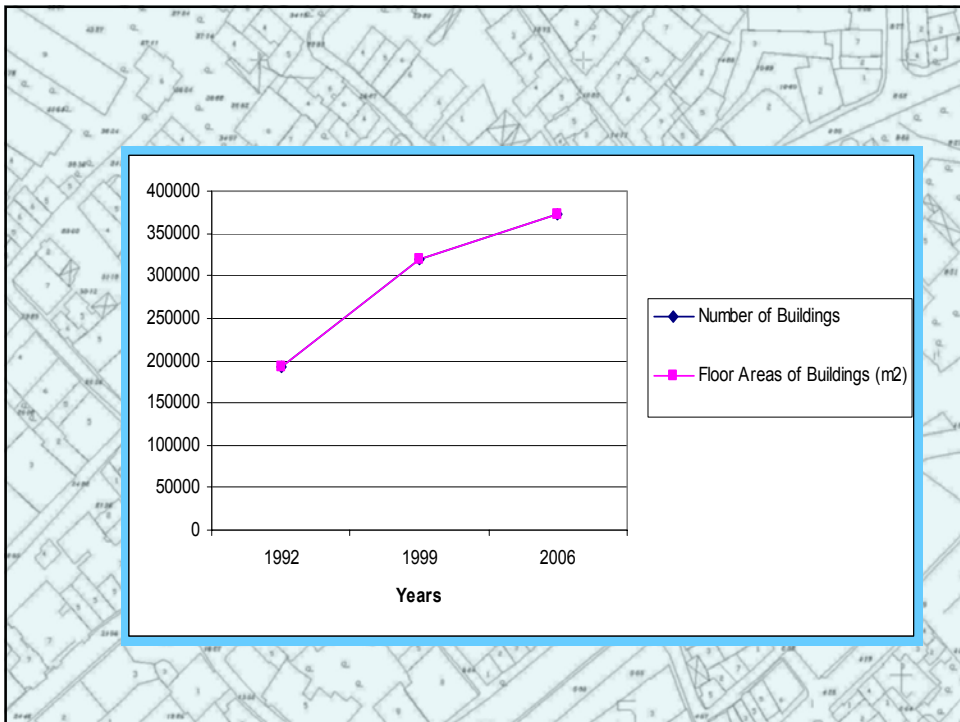
Plot size (m ²)			No. of owners per plot		
Average	Max.	Min.	Average	Max.	Min.
1372252	79626240	200	32	151	10

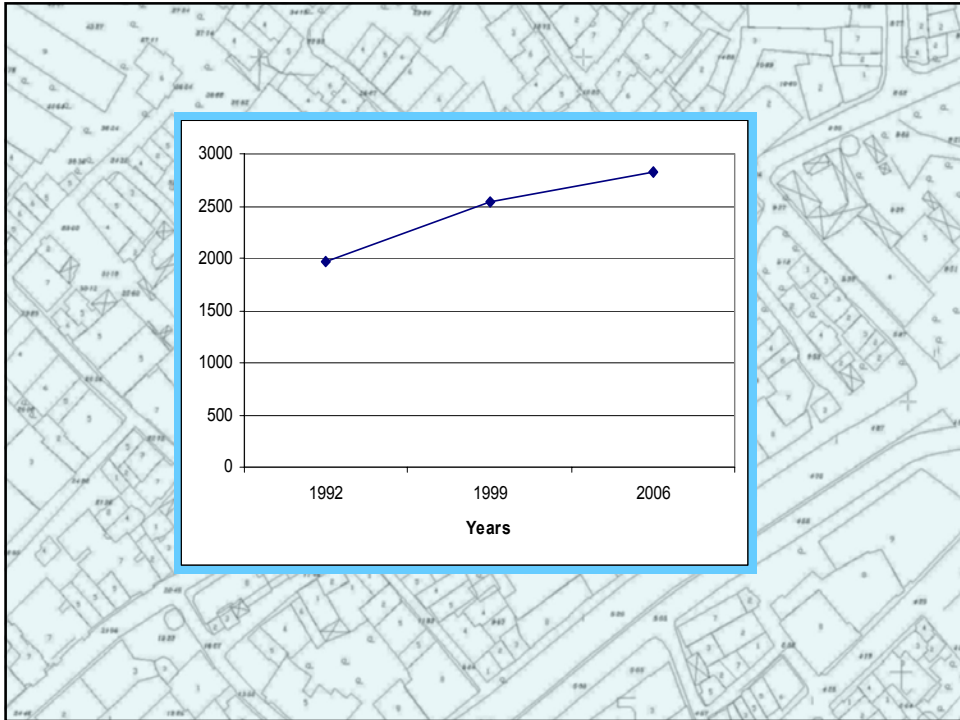
When land readjustment complement

Number of serviced urban plot : 3681

Plot size (m ²)			No. of owners per plot
Average	Max.	Min.	Average
201,25	4824.8	181.20	1.55

	Floor Areas of Buildings (m2)	Number of Buildings
1992	192329	1972
1999	319616	2536
2006	372122	2829





Concluding remarks.....

- The aim of the using of this method is to obtain independent (without shares) parcels after completion of LR. In order to achieve such a target, the shared ownership converted to single person ownership during the phase of distribution. This was succeeded in the area.
- However, the implementation of the improvement development plans caused to low standard living spaces, resulting from limited service areas and infrastructure area.

Concluding remarks.....

- To increase of quality of these areas, the regeneration is inevitable in the near future, but it will be too difficult to assemble the land according to new functions.