



MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

No. MahaRERA/CC/729/2024

Date:-02.02.2024

Inviting Suggestions on Draft Order on Regulation of Retirement Homes

MahaRERA has received feedback that many promoters are wrongly advertising their real estate projects as "Retirement Homes", thereby misleading the potential allottees. Many of these projects, do not adhere to the minimum physical standards and specifications needed for residential purposes for Senior Citizens.

Whereas, Ministry of Housing and Urban Affairs has issued Model guidelines for development and regulation of Retirement Homes in India. In these guidelines, MoHUA has specified that "Given the specific nature of the promoters and allottees of Retirement Homes, States/ UTs may enunciate some of the special provisions, which are required to be covered under 'Agreement of Sale' and other relevant documents."

In view of the above, it is deemed essential to establish minimum physical criteria that every project must meet to be eligible for advertising as a "Retirement Home/Senior Home/equivalent".

Therefore MahaRERA has prepared a draft order on regulation of Retirement Homes.

All Stakeholders are requested to submit their suggestions/views on the proposal contained in the consultation paper latest by 29th Feb 2024 by email to suggestions.maharera@gmail.com

Yours Faithfully



Secretary, MahaRERA

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Subject: Regulation of Retirement Homes in Maharashtra

Whereas, Government of India has enacted the Real Estate (Regulation and Development) Act, 2016 (the Act) and all sections of the Act have come into force with effect from 01.05.2017.

And whereas, the Government of Maharashtra vide Notification No. 23 dated 08.03.2017 has established Maharashtra Real Estate Regulatory Authority, hereinafter referred to as "MahaRERA" or as "the Authority".

And whereas, the Authority has notified the Maharashtra Real Estate Regulatory Authority (General) Regulations, 2017 (Regulations) to carry out the purposes of the Act.

And whereas, the Authority under Section 37 of the Act, and Regulation 38 of the Regulations is vested with the powers to issue directions to promoters, real estate agents and allottees from time to time as it may consider necessary.

And whereas, the Chairperson MahaRERA is vested with the powers of general superintendence and directions in the conduct of the affairs of MahaRERA under Section 25 of the Act.

Whereas Under Section 7(3) of the Act, authority may revoke registration of projects where the promoter is involved in any

“(A) the practice of making any statement, whether in writing or by visible representation which, –

- (i) falsely represents that the services are of a particular standard or grade;
- (ii) represents that the promoter has approval or affiliation which such promoter does not have;
- (iii) makes a false or misleading representation concerning the services;

(B) the promoter permits the publication of any advertisement or prospectus whether in any newspaper or otherwise of services that are not intended to be offered;”

Whereas, Under Section 12 of the Act, the Promoter is obliged to ensure veracity of the advertisement and prospectus of the real estate project.

Whereas, MahaRERA has received feedback that many promoters are wrongly advertising their real estate projects as “Retirement Homes”, thereby misleading the potential allottees. Many of these projects, do not adhere to the minimum physical standards and specifications needed for residential purposes for Senior Citizens.

Whereas, Ministry of Housing and Urban Affairs has issued Model guidelines for development and regulation of Retirement Homes in India. In these guidelines, MoHUA has specified that “Given the specific nature of the promoters and allottees of

Retirement Homes, States/ UTs may enunciate some of the special provisions, which are required to be covered under 'Agreement of Sale' and other relevant documents."

In view of the above, it is deemed essential to establish minimum physical criteria that every project must meet to be eligible for advertising as a "Retirement Home/Senior Home/equivalent". These minimum physical criteria have been taken from Model Guidelines for Development and Regulation of Retirement Homes in India, as issued by Ministry of Housing and Urban Affairs.

Therefore, with effect from the date of coming into force of this Order, every promoter is required to ensure the fulfillment of the following minimum physical specifications in their projects before advertising them as "Retirement Home / Senior Home / Equivalent":

A. Building Design

- (i) All buildings of more than one floor must be provided with lifts that are suitably equipped to accommodate users requiring assistance and using wheelchairs and similar equipment/mobility tools.
- (ii) All the internal and external design of building spaces should consider the free movement of wheelchairs.
- (iii) Door openings (between jambs) should not be less than 900 mm in width.
- (iv) Preferably sliding windows should be used
- (v) Easy to grip door knobs and lever types handles of large size to be used
- (vi) Ergonomic design of furniture specific to the requirements of senior citizens.
- (vii) Furniture should be lightweight, sturdy and without sharp edges

B. Green Building Principles

- (i) In order to minimise the exposure of senior citizens to the fumes and exhaust arising from combustion of fossil fuels, it is desirable that there should be maximum (near -total) use of non-polluting and renewable energy sources in retirement homes.
- (ii) The norms defined in chapter 10 and 14 of model building bylaws 2016 should be complied with fully.

C. Lifts and Ramps

- (i) All lifts must have audio and visual signage and signalling systems and to accommodate users requiring assistance and using wheelchairs and similar equipment/mobility tools.

- (ii) Mandatory ramps to be incorporated into throughout the building to provide for wheelchair access

D. Staircase

- (i) Provision of clear width not less than 1500 mm.
- (ii) Handrails should be fitted on both sides of stair flights.
- (iii) Treads and risers should be as per the standards prescribed in the harmonised guidelines applicable to senior citizens
- (iv) avoid long flights of steps; in no case with more than 12 treads in a single flight.
- (v) Projecting nosing and open stairs should not be provided to minimise the risk of stumbling. Spiral stairs should be avoided.
- (vi) Illuminated / fluorescent / radium strips should be installed on all stairs to act as guides, especially in low light and night time conditions.
- (vii) Specification of lighting and ventilation of staircases as per NBC.
- (viii) Handrails should be extended 12 inch at top and bottom of the staircase and ramps. Ends of handrails should be rounded.

E. Corridors

- (i) Steps should not be introduced into corridors. If change in level is unavoidable, then ramp may be provided.
- (ii) Where there is difference in the floor level, the steps must be distinguished with contrasting strips on the edges.
- (iii) It is essential to provide handrails along the walls on either side of the corridor, at suitable heights above the floor level.

F. Kitchen

- (i) The design of kitchen shall be as per NBC with natural lighting and ventilation.
- (ii) Mandatory 'gas leak detection systems' shall be installed in all kitchen and rooms with attached kitchen.

G. Bathrooms

- (i) Wash basins should be provided with provision of grab rails.
- (ii) Toilet paper roll dispensers should be able to withstand heavy loads.
- (iii) Bathrooms must have anti skid tiles.
- (iv) Bathrooms shall be provided with outward opening doors so bathrooms can be accessed in an emergency when the senior citizen is inside the bathroom.

H. Lighting and Ventilation

- (i) Power Back up facilities to be provided in each apartment of retirement home and with mandatory connection in bathroom and kitchen
- (ii) The lighting and ventilation for all buildings and components to be in compliance to MBBL and NBC.
- (iii) Advocate lightings in the common areas including corridors, lobby and lifts to be supplied uninterrupted electricity with power backup facility

I. Safety and Security

- (i) Incorporate alarm system in the premises, especially with separate switches in main entry doors, bathroom, bedroom and common areas.
- (ii) Emergency alarm and lights controls at bedside and bathrooms near toilet seat.
- (iii) Appropriate safety measures in all electrical equipment
- (iv) Properly trained and skilled security personnel at all required locations to be deployed. Security guard(s) shall be deployed at ground floor at each entry and exit gate(s) with access to intercom facilities and basic telephone facilities.
- (v) Security personnel(s) to restrict trespasser in society, entry passes for all visitors including service providers to be issued.
- (vi) CCTV cameras to be installed on each floor of the premises near lift area and in all the common areas, lobbies/reception, all the gates, parks, etc. Surveillance of these CCTV footage to be monitored on regular basis by the security personnel(s).
- (vii) Emergency fire-fighting services, disaster preparedness for evacuation to be provided.
- (viii) Emergency and important contact numbers should be provide to all residents and displayed in all common areas i.e. outside lifts.