

Relief for buyers in contracts with housing developers

Do you qualify?

- In a contract with a housing developer (private developers or HDB): Option to Purchase (OTP); Sale and Purchase (S&P) Agreement; or Agreement for Lease (AFL)
- Entered into contract before 25 March 2020
- Unable to make payment on 1 February 2020 or later, due to COVID-19:
 - Payment required upon exercising the OTP; or
 - Payment due under the S&P Agreement / AFL

The Act does not apply if your case has any of the following factors:

- Contracts where seller is

not a housing developer (e.g. reseller)

- Non-residential property
- Inability to make payment for reasons unrelated to COVID-19

- Payments due before 1 February 2020

- OTP booking fee already forfeited, or S&P Agreement / AFL already terminated

What does the relief do? On or before 19 October 2020

- Booking fee or other consideration paid under OTP cannot be forfeited
- S&P Agreement / AFL cannot be terminated
- The developer cannot

impose new charges, increase charges or interest rates beyond what is provided for in the contract

Take note

- The relevant payments (e.g. down-payment, progress payments) under the S&P Agreement / AFL continue to accrue and remain payable after 19 October 2020

- If you terminate the S&P Agreement / AFL, the developer may still forfeit payments, if such a course of action is provided for in the S&P Agreement / AFL

How to get relief?

Serve a Notification for Relief on the developer, using the form at www.mlaw.gov.sg/-

covid19-relief/notificationfor-relief. The relief applies after the Notification is served. You should also take the chance to re-examine your ability to make the necessary payments. If you still intend to purchase the property, you should negotiate an extension of the OTP or a new payment schedule with the developer. If your OTP is with a licensed housing developer, you may also have to seek approval for the extension from the Controller of Housing via email at ura_coh_registry@ura.gov.sg. Visit www.mlaw.gov.sg/-covid19-relief/faq for more information.