



On approval of the Rules for provision and use of housing from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund

Invalidated Unofficial translation

Decree of the Government of the Republic of Kazakhstan No. 1420 dated December 1, 2011. Abolished by Decree of the Government of the Republic of Kazakhstan dated January 29, 2024 No. 45

Unofficial translation

A footnote. Abolished by Decree of the Government of the Republic of Kazakhstan dated January 29, 2024 No. 45 (effective ten calendar days after the date of its first official publication)

In pursuance of Article 80 of the Law of the Republic of Kazakhstan "On Housing Relations", the Government of the Republic of Kazakhstan **hereby RESOLVES:**

Footnote. Preamble - as amended by Resolution No. 850 of the Government of the Republic of Kazakhstan dated 26.10.2022 (shall be enforced ten calendar days after the date of its first official publication).

1. Approve the attached:

1) Rules for provision and use of housing from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund;

2) Model housing lease (sub-lease) agreement from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund.

2. Declare to be no longer in force some decisions of the Government of the Republic of Kazakhstan in accordance with Appendix to this Decree.

3. This Decree shall be enforced upon expiry of ten calendar days after the first official publication.

The Prime Minister of the Republic of Kazakhstan

K. Massimov

Approved
by the Decree of the Government
of the Republic of Kazakhstan
No. 1420 dated December 1, 2011

Rules

for provision and use of housing from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund

Footnote. Heading of the Rules is in the wording by the Decree of the Government of the Republic of Kazakhstan No. 1090 dated 11.10.2013 (shall be enforced from the day of the first official publication).

Chapter 1. General provisions

Footnote. Title of the chapter 1 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication).

1. These Rules for provision and use of housing from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund (hereinafter referred to as the Rules) shall be developed in accordance with the Law of the Republic of Kazakhstan dated April 16, 1997 "On Housing Relations" (hereinafter referred to as the Law) and determine the procedure for provision and use of housing from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund.

2. The following basic concepts shall be used in these Rules:

1) state housing stock - housings belonging to communal housing stock, housing stock of state enterprises or housing stock of state institutions and which shall be part of republican or communal property;

2) Communal Housing Fund - housings managed by local executive authorities assigned to a special state institution for provision of housings for use;

2-1) a large family - a family with four or more children living together, including children studying full-time in organizations of secondary, technical and professional, post-secondary, higher and (or) postgraduate education, after they have reached the age of majority before the end of educational organizations (but not more than until the age of twenty-three years);

2-2) rental housing without the right of redemption - housing provided from the communal housing stock to citizens of the Republic of Kazakhstan for use for a fee without the right of redemption;

3) Housing Fund of a State Enterprise - housings owned by a state enterprise;

4) Housing Fund of a State Institution - housings managed by state institutions, with the exception of a special state institution for provision of housings for use;

5) housing - a separate residential unit (individual residential building, apartment, dormitory room) intended and used for permanent residence, meeting the established construction, sanitary, environmental, fire and other mandatory standards and rules;

6) budgetary organizations - state institutions and state-owned enterprises;

7) Departmental Housing Fund - official housings on the books of state institutions, intended to be provided to state employees appointed by rotation in accordance with

the decision of the Housing Commission for residence for the period of office without the right to further privatization.

Footnote. Paragraph 2 as amended by the Government of the Republic of Kazakhstan No. 322 dated 04.25.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 12.26.2015 No. 1072 (shall be enforced from 01.01.2016); dated 17.01.2020 № 5 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication); dated 24.09.2020 № 613 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

3. In condominium facilities, the housing authority, as one of the owners, shall be a participant in condominium and a member of the established association of owners for joint management of condominium facility.

In condominium facilities, the housing authority, as one of the owners, shall transfer to the Leaser (sub-leaser) of residential premises from the State Housing Fund their rights to participate in management of condominium facility. At the same time, the Leaser (sub-leaser), in addition to payments for use of housing in buildings of the State Housing Fund, also participate in the costs of maintaining the common property of condominium facility in proportion to their share in common property, unless otherwise provided by owners' agreement.

Footnote. Paragraph 3 as amended by the Government of the Republic of Kazakhstan No. 322 dated 04.25.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

4. The model regulation on housing commissions shall be approved by the authorized authority implementing the state policy in the field of housing relations.

Chapter 2. Procedure for the provision of housing from a public housing stock or rented by a local executive body in a private housing stock

Footnote. Title of the chapter 2 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication).

5. Housings from a communal housing stock or a housing rented by a local executive body in a private housing stock shall be provided for the use of citizens of the Republic of Kazakhstan who shall be permanently reside the given locality. To register citizens of the Republic of Kazakhstan in cities of republican significance, the capital shall require permanent residence for at least three years.

Housings made of communal housing stock or housings rented by a local executive body in a private housing stock shall be provided for the use of citizens in need of housing and registered citizens of the Republic of Kazakhstan belonging to:

1) veterans of the Great Patriotic War;

1-1) orphans, children left without parental care;

1-2) to mothers having many children awarded with pendants "Алтын алқа", "Күміс алқа" or to the entitled earlier "Mother heroine" and also awarded with the degree awards "Maternal Glory" I and II, large families. The total average monthly income of these categories of citizens must be less than 3.1 times the subsistence minimum established by the Republican Budget Law for the corresponding financial year before applying for housing for each family member;

2) socially vulnerable sections of the population specified in paragraphs 1-1), 1-2), 2), 3), 4), 5), 7), 8), 10) and 11) of Article 68 of the Law, having a combined average monthly income for the last twelve months before applying for housing for each family member below 3.1 times the subsistence minimum set for the corresponding financial year by the law on the republican budget.

Coefficient of 3.1 times the subsistence minimum shall not apply to children with disabilities;

3) to civil servants, employees of budgetary organizations, the military personnel, candidates for astronauts, the astronauts, the staff of special public authorities and persons holding the state elective offices;

4) Citizens of the Republic of Kazakhstan whose only housing is recognized as emergency in the manner established by the legislation of the Republic of Kazakhstan.

Rental housing without the right to buy back is provided to citizens of the Republic of Kazakhstan in accordance with the documents of the State Planning System of the Republic of Kazakhstan.

Footnote. Paragraph 5 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 17.01.2020 № 5 (shall be enforced upon expiry of ten calendar days after the day of its first official publication) ; as amended by the resolution of the Government of the Republic of Kazakhstan dated 24.09.2020 № 613 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 26.10.2022 No. 850(shall be enforced ten calendar days after the date of its first official publication).

5-1. Citizens of the Republic of Kazakhstan, who's the only dwelling shall be recognized as emergency in the manner prescribed by the legislation of the Republic of Kazakhstan, upon receipt of dwelling from the communal housing stock, transfer the emergency housing available on the right of ownership to communal ownership in accordance with the civil legislation of the Republic of Kazakhstan.

Family members of the Leaser who received housing from the Communal Housing Fund cannot be recognized as needing housing from the Communal Housing Fund for the same reasons as the Leaser of housing.

Footnote. The Rules are supplemented by Paragraph 5-1 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

5-2. When calculating the provision of housing to a citizen (family) living in a housing that does not meet the established sanitary-epidemiological and technical requirements, a housing areal size available in his (her) property shall be taken into account. This requirement shall not apply to the case when the only housing is recognized as emergency in the manner established by the legislation of the Republic of Kazakhstan.

Footnote. The Rules are supplemented by Paragraph 5-2 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

5-3. Persons with disabilities, the elderly, persons with cardiovascular and other serious diseases, shall be provided with a dwelling from the state housing stock or with housing rented by a local executive body in a private housing stock, at their choice, on the lower floors or in residential buildings with elevators, and persons with disability, musculoskeletal disorder, not higher than the second floor.

Persons with disabilities shall have the right to choose the type of building for living, the degree of convenience and other conditions necessary for living.

Footnote. The Rules are supplemented by Paragraph 5-2 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by Resolution No. 850 of the Government of the Republic of Kazakhstan dated 26.10.2022 (shall be enforced ten calendar days after the date of its first official publication).

6. Housing from the Communal Housing Fund or housing leased by the local executive authority in the Private Housing Fund shall be provided by decision of the local executive authority at an applicant's place of residence on the basis of a decision of the Housing Commission.

Housing from the Housing Fund of a state enterprise shall be provided on the basis of a decision of the Housing Commission of a state enterprise on provision of housing and concluded housing lease agreement, which shall be made in triplicate. One copy of a housing lease agreement shall be stored in the administration of a state enterprise, the second shall be transferred to the local executive authority, which shall be stored as a strict reporting document, the third shall be issued to an applicant and shall be the only document providing the right to move into a housing.

Footnote. Paragraph 6 is in the wording by the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

6-1. Housings from the housing stock of state institutions shall be provided for the use of employees of this institution who need housing in this locality, with the exception of the cases provided for in paragraphs 6-2, 6-5 and 6-6 of these Rules.

Footnote. The Rules are supplemented by Paragraph 6-1 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication); in the wording of the resolution of the Government of the Republic of Kazakhstan dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication).

6-2. Housings from the Housing Fund of state institutions shall be also provided for use by state employees of state authorities in need of housing in this settlement, who support the activities of the President, the chambers of the Parliament, the Prime Minister and the Government of the Republic of Kazakhstan and not having the right to operatively manage separate property, as well as other persons, determined by the President of the Republic of Kazakhstan.

Footnote. The Rules are supplemented by Paragraph 6-2 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

6-3. Citizens of the Republic of Kazakhstan who are registered in need of housing in the category of “employees of budgetary organizations” shall be equated with employees of budgetary organizations in the event of reorganization of state institutions and state-owned enterprises into state enterprises on the basis of economic management.

Footnote. The Rules are supplemented by Paragraph 6-3 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

6-4. The state authorities specified in Paragraph 6-2 of these Rules shall forward to the housing authority, the lists approved by the Housing Commission of persons in need of housing.

The decision of the Housing Commission of the state authority providing housing shall be taken on the basis of the submitted lists of persons in need of housing.

Footnote. The Rules are supplemented by Paragraph 6-4 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (

shall be enforced upon expiry of ten calendar days after the day its first official publication).

6-5. Housings from the Departmental Housing Fund shall be provided for use by state employees in need of housing in this settlement, appointed to the position in rotation, for the period of performance their duties.

Footnote. The Rules are supplemented by Paragraph 6-5 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 1072 dated 26.12.2015 (shall be enforced from 01.01.2016).

6-6. Housings from the housing stock of the municipal state institution in the field of accounting and maintenance of the housing stock of the city of Nur-Sultan are provided for the use of government employees and employees of budget organizations in need of housing in this settlement.

State bodies and budgetary organizations of the city of Nur-Sultan send to the municipal state institution in the field of accounting and maintenance of the housing stock of the city of Nur-Sultan the lists of people in need of housing approved by the housing commission.

Footnote. Rules as added by paragraphs 6-6 according to the resolution of the Government of the Republic of Kazakhstan dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication) ;

7. Housings from the State Housing Fund or a housing leased by a local executive authority in the Private Housing Fund shall be provided for use to citizens of the Republic of Kazakhstan in need of housing on the basis of a decision of the relevant Housing Commission on provision of housing from the State Housing Fund or a housing leased by a local executive authority in the Private Housing Fund, drawn up in the form in accordance with the Appendix to these Rules.

7-1. Distribution of housings (re-commissioned or vacated by tenants) from communal housing stock or housings, leased by the local executive body in the private housing stock, on separate lists, with the exception of veterans of the Great Patriotic War, orphans, children left without parental care, mothers of many children awarded the "Алтын алқа", "Күміс алқа" pendants or previously awarded the title Mother Heroine, as well as those awarded the orders "Mother Glory" I and II degree, large families, produced by local executive bodies of the district, city of regional significance, cities of national importance, capitals, including through a central housing distribution program, proportionally to the number of separate lists, as well as lists of those in need of housing registered with the state enterprise; (or) a state institution, state bodies specified in paragraph 6-2 of these Rules, unless otherwise established by the Law or other legislative acts of the Republic of Kazakhstan.

Local executive bodies of the district, cities of regional significance, cities of republican significance, the capital shall be obliged to publish in periodicals published

in the territory of the district, cities of regional significance, cities of republican significance, the capital, and on their Internet resources:

1) annually in the first quarter - separate lists of accounts for those in need of housing from the communal housing stock or housing leased by the local executive body in the private housing stock;

2) within ten working days from the date of the decision of the local executive body on the provision of housing - lists of persons who have received housing, indicating their priority, established by the lists of registration of those in need of housing.

Footnote. The Rules are supplemented by Paragraph 7-1 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication); in the wording of the resolution of the Government of the Republic of Kazakhstan dated 17.01.2020 № 5 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as amended by the resolution of the Government of the Republic of Kazakhstan dated 24.09.2020 № 613 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

7-2. Excluded by the resolution of the Government of the Republic of Kazakhstan dated 17.01.2020 № 5 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

8. The decision of the Housing Commission shall be made in duplicate, one of which shall be stored in the housing authority as a strict reporting document, and the other shall be issued to an applicant.

9. To obtain housing, citizens shall submit for consideration by the Housing Commission the following documents:

1) an application in the form established by the Housing Commission, to the name of the chairman of the Housing Commission;

2) copies of identity cards or passports of an applicant and members of his family;

3) copies of marriage (divorce) certificates, certificate of death of family members, children's birth certificates;

4) a copy of the work book certified by personnel department or an extract from the track record;

5) excluded by the resolution of the Government of the Republic of Kazakhstan dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication).

6) in case of recognition of other persons as family members of an applicant, the latter shall be provided a law decision on recognition thereof as family members of the applicant;

7) excluded by the resolution of the Government of the Republic of Kazakhstan dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication).

8) a certificate from the social protection authority confirming that the applicant (family) belongs to socially vulnerable groups of population, or a certificate of employment (service) of a state employee, employee of a budget organization, military servant, astronaut candidates, astronaut (when providing housing from the Communal Housing Fund);

9) excluded by the resolution of the Government of the Republic of Kazakhstan dated 17.01.2020 № 5 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).;

10) persons from among disadvantaged population groups (with the exception of families with or raising children with disabilities), shall additionally provide information on income for the last twelve months before applying for each family member (in case of housing provision from the communal housing stock).

Information on the existence or absence of housing (in the Republic of Kazakhstan) owned by them on the right of ownership, information on the address to all family members shall be received by the housing commission through information systems.

Footnote. Paragraph 9 as amended by the Government of the Republic of Kazakhstan No. 500 dated 20.04.2012 (shall be enforced upon expiry of ten calendar days from the date of its first official publication); No. 1090 dated 11.10.2013 (shall be enforced from the date of the first official publication); dated 17.01.2020 № 5 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication); dated 26.10.2022 No. 850 (shall be enforced ten calendar days after the date of its first official publication).

10. Housing Commissions within thirty calendar days from the day of registration of the applicant's documents specified in Paragraph 9 of these Rules, shall make decision on provision of housing, or make a reasoned refusal in writing.

11. If the Housing Commission makes a decision to provide housing, an agreement shall be concluded within ten calendar days (between the applicant and the housing authority) in accordance with the Model lease (sub-lease) agreement approved by the Government of the Republic of Kazakhstan from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund.

12. The housing lease (sub-lease) agreement shall be made in three counterparts. One copy of the housing lease (sub-lease) agreement shall be kept in the administration of a state institution (state enterprise), the second one shall be transferred to the local executive authority for registration with the state property register (hereinafter referred to as the register) and which shall be kept as a strict reporting document, the third one

shall be issued to the applicant and is the only document providing the right to move in the housing.

On the web portal of the register www.gosreestr.kz, Leaser (sub-leaser) shall be entitled to view information on the housing lease (sub-lease) agreement concluded with him, including under the terms of the agreement, accruals under the agreement, payments made to the budget and interest if any.

Footnote. Paragraph 12 is in the wording by the Decree of the Government of the Republic of Kazakhstan No. 144 dated 24.02.2014 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Chapter 3. Procedure for the use of housing from a public housing stock or housing leased by a local executive body in a private housing stock

Footnote. Title of the chapter 3 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 27.05.2020 № 327 (shall be enforced after the day of its first official publication).

13. Citizens shall move into the housing provided on the basis of a lease (sub-lease) agreement from the State Housing Fund or a housing leased by the local executive authority to the Private Housing Fund.

14. The family members of the Leaser (sub-leaser) living together with him, shall enjoy the rights on a par with the Leaser (sub-leaser) and bear the obligations arising from a housing lease (sub-lease) agreement.

15. The Leaser (sub-leaser) and members of his family living with him shall ensure the safety of a housing and common property.

16. In the event of emergencies and detection of malfunctions of individual structures of the housing, the Leaser (sub-leaser) and his family members living together with him, shall immediately through all available means of communication, or in person, inform the landlord about it.

17. If the overhaul of a residential house (residential building) cannot be carried out without evicting Leasers (sub-lesers), the landlord shall provide the Leaser (sub-leaser) with another housing that meets the technical and sanitary-epidemiological requirements without terminating the lease (sub-lease) agreement for renovated housing.

Footnote. Paragraph 17 is in the wording by the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

18. Upon vacating a housing, the Leaser (sub-leaser) shall transfer the housing to the landlord according to the act of transfer in accordance with the form established by the housing authority.

19. The amount of payment for using housing from the State Housing Fund shall be established by the local executive authority of district, city of regional significance, city of republican significance, capital (from the Communal Housing Fund), the administration of a state institution (from the Housing Fund of a state institution) or the administration of a state enterprise (from housing state enterprise fund) in accordance with the methodology for calculating the amount of housing use payments from the State Housing Fund, approved by the authorized authority in the field of housing relations.

Payment for use of housing from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund shall be paid by the Leaser to the republican or local budget, respectively.

Footnote. The Rules are supplemented by Paragraph 19 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 144 dated 24.02.2014 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Appendix
to the Rules for provision
and use of housing from the State
Housing Fund or housing leased
by the local executive authority
in the Private Housing Fund
Form

**Decision of the Housing Commission on provision of housing
from the State Housing Fund or housing leased by the local
executive authority in the Private Housing Fund**

Region, city _____ " ____ " _____ 20__

Decision of the Housing Commission on provision of housing No. _____

The Commission _____

(name of the housing authority)

Hereby decides to provide housing for lease (sub-lease) to the citizen:

(Leaser' surname, name, patronymic)

to family composition of _____

people

(in words)

at the address: _____,
 consisting of _____ rooms, area _____ square meters
 usable area, including residential area _____ square meters
 non-residential area _____ square meters.

Family composition:

No.	Relation degree	Full Name

Chairman of the Commission: _____ <i>(Full Name)</i> _____ signature Seal	Commission members: 1. _____ <i>(Full Name, signature)</i> 2. _____ <i>(Full Name, signature)</i> 3. _____ <i>(Full Name, signature)</i> 4. _____ <i>(Full Name, signature)</i> Seal
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Approved
 by the Decree of the Government
 of the Republic of Kazakhstan
 No. 1420 dated December 1, 2011

**Model housing lease (sublease) agreement
 from the State Housing Fund or housing leased by the local
 executive authority in the Private Housing Fund**

Region, city _____ " ____ " _____ 20 ____

Agreement No. _____

The Lessor _____

(name of the housing authority)

acting on behalf of _____,

(Full Name of the Chairman of the Housing Commission)

based on _____

(constituent documents)

and the Lessor represented by the citizen _____

— *(Full Name of the Leaser (sub-leaser)*

identity card/passport _____,

(number, date and name of issuing authority)

Hereinafter collectively referred to as “the Parties” have concluded
 this housing lease (sublease) agreement from the State Housing Fund

or housing leased by the local executive authority in the Private Housing Fund (hereinafter referred to as the Agreement) as follows:

1. Subject of Agreement

1. The Lessor shall provide the Leaser and his family members:

No.	Full name of family members	Relation degree

for lease (sub-lease) a housing, at the address: _____

_____ number of rooms _____, useful area _____ square meters including residential area _____ square meters, non-residential area _____ meters square, specifications whereof are presented in housing transfer and acceptance act which is an integral part of this Agreement.

2. Grounds for Conclusion

2. Grounds for conclusion of this Agreement shall be a decision of Housing Commission for housing provision No. _____ dated " ____ " _____ 20__

(name of the housing authority)

3. Settlement Procedures

3. Payment for the use of housing is _____ tenge per month. Calculation of the amount of payment shall be carried out in accordance with the Methodology for settlement the amount of payment for the use of housing from the State Housing Fund, approved by Order of the Chairman of the Agency of the Republic of Kazakhstan for Construction and Housing and Communal Services No. 306 dated August 26, 2011, registered in the Register of State Registration of Normative Legal Acts of the Republic Kazakhstan No. 7232 dated October 6, 2011.

Accounts payable for use of housing from the Public Housing Fund or housing leased by a local executive in the Private Housing Fund shall be submitted by the Lessor to the Leaser.

Payment for the use of housing from the State Housing Fund or housing leased by the local executive authority in the Private Housing Fund shall be paid by the Leaser to the republican or local budget, respectively.

Footnote. Paragraph 3 as amended by the Decree of the Government of the Republic of Kazakhstan No. 144 dated 24.02.2014 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

4. Payment of costs for maintenance of common facilities of a condominium facility shall be made by the Leaser by invoice of condominium facility management authority or the owner of a residential house (building).

Footnote. Paragraph 4 is in the wording by the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

5. Payment for utilities and other services provided under individual agreements with the Leaser shall be made directly to the service provider.

6. All settlements under this Agreement shall be made according to the following procedures:

1) the Leaser (sub-leaser) shall make full advance payment for the first month of stay within ten calendar days after conclusion of this Agreement;

2) further payments shall be made by the Leaser no later than the fifth of each month following the settlement period. In case of late payment, a fine shall be charged at the amount of 0.1 % of the payment amount for each day in arrears.

7. In case of non-payment under this Agreement for more than one month, the Lessor shall have a right to appeal to court on forced collection of payment from the Leaser with compensation for all court fees.

8. In case of improper use by the Leaser of the housing, utility systems or common facilities resulting in lost performance, defects in, damage of the housing residential house (residential building), the Lessor shall execute an act with indication of the amount of the extent of damage which is subject to collection by the Leaser. In case of the Leaser's agreement with the amount of the above damage cost, the act shall be signed by the Parties. In case of disagreement with the amount of damage cost which is subject to compensation, collection shall be exercise through judicial procedures.

4. Rights of Parties

9. The Lessor shall have a right:

1) to inspect the condition of technical equipment of residential and ancillary premises of the housing provided upon agreement with and in the presence of the Leaser or an adult family member of the Leaser;

2) to terminate this Agreement on the basis of Article 103 of the Law of the Republic of Kazakhstan dated April 16, 1997 "On Housing Relations" (hereinafter referred to as the Law);

3) to evict the Leaser and his family members without providing another housing on the grounds provided by Articles 107, 108 of the Law;

4) to monitor the timeliness and completeness of the payment transfer for the use of housing;

5) to carry out checks on the intended use of housing.

10. The Leaser shall have a right:

1) to reserve the right for the use of the housing in case of absence of him and (or) members of his family for a term not exceeding six months, upon condition of a written notification thereof from the Lessor, and performance of obligations under this Agreement;

2) the Leaser's family members living in the housing shall in case of temporary absence of the Leaser use the housing according to the terms specified in this Agreement, at the same time, they shall exercise rights and bear obligations under this Agreement;

3) to demand where necessary from the Lessor unscheduled inspection of the condition of the housing provided, including structures and technical equipment with execution of an inspection act;

4) make payment for the use of the housing in advance.

5. Obligations of Parties

11. The Lessor shall:

1) provide the Leaser with the housing within fifteen calendar days after signing of this Agreement by the Parties with execution of a transfer and acceptance act in a condition meeting established technical, sanitary and epidemiological and other mandatory requirements;

2) make major repairs of the housing;

3) familiarize the Leaser (at his request) with tariffs and settlements for maintenance of housing and payment of utilities;

4) if the housing or residential house (residential building) is as a result of circumstances beyond the control of the Parties in a condition unsuitable for intended use, in disrepair or is subject demolition, conclude the other Housing Lease Agreement with the Leaser, or at the request of the Leaser terminate this Agreement within three months after reveal of such circumstances;

5) in case of emergencies or force-majeure conditions, immediately take any actions required for elimination thereof;

6) not prevent the Leaser from owning and using the housing in accordance with the procedures specified in this Agreement;

7) in case of changed terms of this Agreement or in amount of payment for the use of the housing, notify in written the Leaser thereof thirty calendar days before next term for payment for the use of the housing;

8) send to the Leaser a written notification of imposed fines or penalties for late payments within ten calendar days before next term for payment for the use of the housing.

Footnote. Paragraph 11 as amended by the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

12. The Leaser shall:

- 1) use the housing as intended;
- 2) keep the housing in technically sound state and proper sanitary and epidemiological condition;
- 3) comply with the rules for the use of the housing, common facilities, the Rules for maintenance of common property of the condominium facilities and adjacent territory, and fire safety and technical safety rules;
- 4) notify in time the Lessor of revealed defects in water or electrical power metering units, electrical power supply, heating, water supply or water disposal systems, or other components of the housing leasable (sub-leasable);
- 5) not allow reconstruction, alteration or re-equipment of the housing;
- 6) not allow exchange of the housing (flat, room) with other leasers;
- 7) make payment in time for the use of the housing and for utility services at the established amounts and in accordance with the terms of this Agreement;
- 8) provide access during the daytime, and also in case of emergency at night to the occupied housing for Lessor's workers and representatives of emergency services for inspection and repair of components of the housing;
- 9) compensate the Lessor for losses related to damages of the housing common facilities of residential house (residential building) and equipment due to the fault of the Leaser or members of his family;
- 10) not pledge the rights under this Agreement;
- 11) in case of early termination or expiration of the term of this Agreement, ensure return of the housing within ten calendar days to the Lessor under housing delivery act signed by the Parties.

Footnote. Paragraph 12 as amended by the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

6. Grounds, consequences and procedures for termination of the Agreement

13. This Agreement may be terminated or annulled at the initiative of any Party at any time upon a written notification to the other Party at least thirty calendar days before such termination or annulment.

14. This Agreement shall be terminated in the following cases:

- 1) expiration of the term of this Agreement;
- 2) early termination of this Agreement in accordance with Article 107 of the Law;

3) leaving of the Leaser and his family members for permanent residence in another place.

15. In case of termination of this Agreement, the Leaser and family members shall be subject to eviction without providing another housing, except for cases provided by Paragraph 3 of Article 103 of the Law.

16. Repairs or other improvements of the housing performed by the Leaser at his own cost, inseparable without damage to its structure shall be transferred to the Lessor with the housing and shall not be subject to compensation on the part of Lessor.

17. In case of expiration or termination of this Agreement, a housing transfer act from the Leaser to the Lessor shall be executed in the presence of the Parties.

7. Terms and procedures for transfer and acceptance of the housing

18. The Lessor shall transfer to the Leaser the housing under a transfer and acceptance act within fifteen calendar days after signing of this Agreement.

19. The Leaser shall transfer the housing to the Lessor within ten calendar days after expiration of terms for expiration, termination of this Agreement under a housing transfer act signed by the Parties.

20. The transfer and acceptance act of the housing and housing transfer act shall be an integral part of this Agreement, which records the sanitary-epidemiological, technical condition of the housing and its other specifications, at signing the relevant act.

Footnote. Paragraph 20 is in the wording by the Decree of the Government of the Republic of Kazakhstan No. 322 dated 25.04.2015 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

8. Settlement of disputes

21. Disputes between the Parties which may arise from this Agreement or in relation thereto shall be settled by means of negotiations, and in case of failure to achieve agreement according to judicial procedures.

9. Final Provisions

22. This Agreement is executed in three counterparts in the state language and in Russian having equal legal force. One counterpart of this Agreement shall be kept by the Administration of the state institution (state enterprise), the second one shall be delivered to the local executive authority, and it shall be kept as a strict reporting document, and the third one shall be issued to the Leaser and it shall be the only document granting a right for moving in the housing.

23. Any alterations or additions to this Agreement shall be valid when they are stated in written form and are signed by the Parties.

24. This Agreement shall enter into force on " ____ " _____ 20__ and shall be valid until " ____ " _____ 20__.

10. Addresses and banking details

Lessor _____
Leaser _____

Signatures

Lessor _____ Leaser _____

(Full name and signature) (Full name and signature)

Familiarized with the terms of this Agreement:

family members of the Leaser:

No.	Relation degree	(Full name) of the Leaser and adult, capable members of his family

Appendix
to the Decree of the Government
of the Republic of Kazakhstan
No. 1420 dated December 1, 2011

The list of some decisions of the Government of the Republic of Kazakhstan become invalid

1. Decree of the Government of the Republic of Kazakhstan dated September 2, 1999 No. 1292 "On the procedure for provision, lease and operation of housings from the State Housing Fund managed by local executive authorities" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 1999, No. 44, Article 401) .

2. Paragraph 2 of amendments and additions to some decisions of the Government of the Republic of Kazakhstan approved by the Decree of the Government of the Republic of Kazakhstan dated July 21, 2005 No. 761 "On some issues of registration of population of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2005, No. 31, Article 404).

3. Subparagraphs 1) and 2) of Paragraph 1), Subparagraph 1) of Paragraph 3 of the Decree of the Government of the Republic of Kazakhstan dated September 30, 2009

No. 1482 "On some issues for providing housing from the Housing Stock of the State Enterprises" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2009, No. 40 , Article 391).

4. Decree of the Government of the Republic of Kazakhstan dated December 29, 2009 No. 2227 "On amendments to the Decree of the Government of the Republic of Kazakhstan dated September 30, 2009 No. 1482" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2010, No. 3, Article 24).