

On approval of the Rules for registration of citizens of the Republic of Kazakhstan in need of housing from the state housing fund or housing rented by the local executive body in the private housing fund

## Invalidated Unofficial translation

Resolution of the Government of the Republic of Kazakhstan dated June 26, 2012 № 856. 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)

Under sub-paragraph 6-2) of article 10-1 of the Law of the Republic of Kazakhstan "On Housing Relations", the Government of the Republic of Kazakhstan **HEREBY DECREES AS FOLLOWS**:

Footnote. The Preamble - as reworded by Decree of the Government of the Republic of Kazakhstan No. 850 of 26.10.2022 (shall be put into effect ten calendar days after the date of its first official publication).

- 1. To approve the attached Rules for registration of citizens of the Republic of Kazakhstan in need of housing from the state housing fund or housing rented by the local executive body in the private housing fund
- 3. This resolution shall be enforced upon expiry of ten calendar days after its first official publication.

Prime Minister of the Republic of Kazakhstan

K. Massimov

Approved
by resolution of the Government
of the Republic of Kazakhstan
dated June 26, 2012 № 856

## Rules

for registration of citizens of the Republic of Kazakhstan in need of housing from the state housing fund or housing, rented by the local executive body in private housing fund 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 23.06.2020 № 381 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

1. These Rules for Registration of Citizens of the Republic of Kazakhstan in Need of Housing from the State Housing Fund or Housing Leased by the Local Executive Body in Private Housing (hereinafter - the Rules) have been developed under the Law of the Republic of Kazakhstan "On Housing Relations" (hereinafter - the Law) and establish the procedure for registration of citizens of the Republic of Kazakhstan in need of housing from the state housing fund or housing leased by the local executive body in private housing fund.

Footnote. Paragraph 1 - as reworded by Decree of the Government of the Republic of Kazakhstan No. 756 of 27.09.2022 (shall enter into force ten calendar days from the date of its first official publication).

## Chapter 2.

Procedure for registration of citizens of the Republic of Kazakhstan who need housing from

the state housing stock or housing rented by the 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 23.06.2020 № 381 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

- 2. Citizens of the Republic of Kazakhstan in need of housing from a communal housing fund or housing rented by a local executive body in a private housing fund shall be registered with citizens of the Republic of Kazakhstan permanently residing in this settlement (regardless of the period of residence) and relate to:
  - 1) veterans of the Great Patriotic War;
  - 1-1) orphans, children 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 for the corresponding financial year by the law on the republican budget before applying for housing for each family member;
- 2) socially vulnerable groups mentioned in sub-paragraphs 2), 2-1), 3), 4), 5), 6), 8), 9), 11), 12) of paragraph 3 hereof, with an aggregate average monthly income for the last twelve months prior to application for housing per family member below 3.1 times the subsistence minimum established for the financial year by law on the national 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 state bodies and persons holding the state elective positions;
- 4) citizens whose only housing shall be recognized as an emergency in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

In order to register citizens of the Republic of Kazakhstan in cities of republican significance, the capital shall require permanent residence for at least three years.

Footnote. Paragraph 2 as amended by the resolution of the Government of the Republic of Kazakhstan dated 11.10.2013 № 1090 (shall be enforced from the day of its first official publication) dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the date of its 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 24.09.2020 № 613 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); No. 850 of 26.10.2022 (shall be promulgated ten calendar days after the date of its first official publication).

2-1. Within three months from the day orphans or children deprived of parental care are enrolled in an educational, health or other institution or from the day such children are placed in custody or guardianship, or from the day an agreement is concluded with a foster carer, their lawful guardians shall register the child for housing with the local executive authority.

Footnote. Rules as added by paragraph 2-1 in accordance with the resolution of the Government of the Republic of Kazakhstan dated 11.10.2013 № 1090 (shall be enforced from the day of its first official publication); as reworded by Decree of the Government of the Republic of Kazakhstan No. 756 of 27.09.2022 (shall be enforced upon expiry of ten calendar days from the date of its first official publication).

- 3. Socially vulnerable population groups shall refer to:
- 1) veterans of the Great Patriotic War;
- 2) veterans who are equal in benefits to veterans of the Great Patriotic War;
- 3) veterans of combat operations on the territory of other states;
- 4) persons with a first- or second-group disability;
- 5) families who have or are raising children with disabilities;
- 6) persons who suffer from severe forms of certain chronic diseases specified in the list of diseases adopted by the competent authority in the field of health care (hereinafter referred to as the list of severe forms of certain chronic diseases);
  - 7) old age pensioners;
- 8) orphans and children deprived of parental care who are under the age of twenty-nine and have lost their parents prior to reaching the age of majority. When such persons are called up for military service, their age shall be extended by the period of compulsory military service;

- 9) fellow countrymen;
- 10) persons who have lost their homes due to environmental disasters, natural and man-made emergencies;
- 11) mothers with many children, who have been awarded the Altyn Alka or Kumis Alka pendants or who previously received the title of Mother Heroine, as well as those awarded the Maternal Glory Order of First and Second Degree, families with many children;
- 12) families of persons who deceased (died) in the performance of state or public duties, military service, preparation or conduct of a flight to outer space, rescue of human life, protection of law and order;
  - 13) single-parent families.

Footnote. Paragraph 3 - as reworded by Decree of the Government of the Republic of Kazakhstan No. 162 of 25.03.2022 (shall become effective upon expiry of ten calendar days after its first official publication); as amended by Decree of the Government of the Republic of Kazakhstan No. 850 of 26.10.2022 (shall enter into force ten calendar days after the date of its first official publication).

4. The registration of citizens of the Republic of Kazakhstan in need of housing from the housing fund of the state institution shall be carried out at the place of work in the state institution. Employees of this institution shall be registered.

State institutions shall maintain lists of priority of citizens of the Republic of Kazakhstan in need of housing from the housing fund of the state institution, and shall publish on their Internet resources lists of persons having received housing, indicating their priority.

Footnote. Paragraph 4 as amended by the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the date of its first official publication)

5. Registration of citizens of the Republic of Kazakhstan participating in active measures to promote employment in accordance with the legislation of the Republic of Kazakhstan on employment, shall be carried out in state institutions established to implement active measures to promote employment, provided that there shall be no housing on the right of ownership under the new residence, including members of his family, taking into account the characteristics of the Rules for the promotion of mobility of persons, participating in active measures to promote employment and provide them with state support measures approved in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Paragraph 5 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the date of its first official publication)

6. The registration of citizens of the Republic of Kazakhstan in need of housing from the housing fund of the state enterprise shall be carried out at the place of work of the state enterprise. Employees of this enterprise shall be registered.

State enterprises shall maintain lists of priority of citizens of the Republic of Kazakhstan in need of housing from the housing fund of the state enterprise, and shall publish on their Internet resources lists of persons having received housing, indicating their priority.

Footnote. Paragraph 6 as amended by the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the date of its first official publication)

6-1. The registration of citizens whose only housing shall be recognized as an emergency in accordance with the procedure provided for by the legislation of the Republic of Kazakhstan shall be carried out at the place where the housing shall be located.

Footnote. The Rules as added by paragraph 6-1 in accordance with the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the date of its first official publication)

- 7. Citizens of the Republic of Kazakhstan not having permanent use of housing from communal housing fund in this settlement shall be considered to be in need of housing from the state housing fund if:
- 1) they do not have a housing on the right of ownership in the territory of the Republic of Kazakhstan at the time of registration and at the moment of provision of the housing from the communal housing fund or housing fund of the state enterprise;
- 2) they do not have a housing on the right of ownership in this settlement at the time of registration and at the time of provision of the housing from the housing fund of the state institution;
  - 2-1) they do not have a rental home provided without the right to buy back;
- 3) Excluded by the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the date of its first official publication);
- 4) the housing in which they live shall not meet the established sanitary, epidemiological and technical requirements;
  - 5) two or more families live in adjacent, non-isolated living quarters;
- 6) in the family there are patients suffering from severe forms of some chronic diseases (according to the list of severe forms of some chronic diseases), in which it shall become impossible to live with them in the same room (apartment).

Footnote. Paragraph 7 as amended by the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the date of its 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);

- 8. To register citizens, the following documents must be submitted via the e-government web portal (hereinafter referred to as the portal) (it shall be prohibited to solicit documents from citizens that can be obtained from information systems):
- 1) an application for registration of citizens in need of housing from the communal housing stock under the form pursuant to Appendix 1 hereto (showing consent to verification by the local executive body of whether or not the applicant and family members permanently residing with him/her have permanent use of housing from the communal housing stock in the locality in question);
- 2) if there is no data in the information system, copies of civil registration certificates (birth, death, marriage, divorce, adoption, paternity, change of name, patronymic and surname)).

Where other persons are recognised as family members of the applicant, copies of the court decision recognising them as family members of the applicant shall be provided by the latter;

- 3) if there is no data in the information system, citizens belonging to socially vulnerable groups shall additionally file a document proving that the applicant (family) belongs to socially vulnerable groups, as well as data on the income for the last twelve months per family member (excluding families with or raising children with disabilities);
- 4) if there is no data in the information system, citizens belonging to socially vulnerable groups shall additionally file a document proving that the applicant (family) belongs to socially vulnerable groups, as well as data on the income for the last twelve months per family member (excluding families with children with disabilities or raising children with disabilities);
- 5) if the family dwelling does not comply with the established sanitary and epidemiological requirements, the applicant shall additionally submit the original of the sanitary and epidemiological opinion issued by the territorial unit of the competent authority for sanitary and epidemiological well-being of the population on the findings of the sanitary and epidemiological expertise performed by the sanitary and epidemiological service organisation;
- 6) if the family dwelling does not conform to the technical requirements, the applicant shall additionally present the original technical opinion (of the technical inspection of the dwelling) of an architect, town-planning and construction expert, certified in the field of architecture, planning and construction;
- 7) when a family member suffers from severe chronic illnesses that make it impossible to live with them in the same room (flat), the applicant shall additionally provide a document certifying the relevant illness.

Data of identification documents, certificates of marriage or divorce, death, birth, certificates on availability or lack of housing (in the Republic of Kazakhstan) belonging to them by right of ownership, details of registration address, court decision recognising other persons as family members of the service recipient, information on documents proving that the service recipient belongs to socially vulnerable population groups, categories of civil servants, employees of budget organisations, data on taxable income shall be supplied to the service provider for all family members from the relevant government information systems via the e-government gateway.

For registration at the place of employment, citizens in need of housing from the housing fund of a state enterprise or state institution shall apply using the form in Appendix 2 hereto, as well as the documents referred to in sub-paragraphs 2), 3) and 4) of this paragraph. Data of the local executive body on whether or not the applicant and family members permanently residing with him/her have a dwelling from the public housing stock in the given locality shall be obtained by public institutions or enterprises by means of the information resource "Register of Public Housing Rental Agreements" available on the gosreestr.kz web portal.

To update, amend or supplement the data indicated in this paragraph, the applicant shall file an application via the portal in the form as per Annex 3 hereto, as well as the documents required under this paragraph, as soon as the grounds arise or the applicant receives an sms-notification on his/her mobile phone.

Footnote. Paragraph 8 - as reworded by Decree of the Government of the Republic of Kazakhstan No. 756 of 27.09.2022 (shall take effect after ten calendar days from the date of its first official publication); as amended by Decree of the Government of the Republic of Kazakhstan No. 850 of 26.10.2022 (shall be brought into force ten calendar days after the date of its first official publication).

9. The local executive body, public enterprise or public institution shall take a decision on registration, giving a notification and providing a serial number of the queue, or a reasoned refusal to register citizens of the Republic of Kazakhstan who require housing from the public housing stock or housing leased by the local executive body from the private housing stock, within fifteen working days from the date of application.

Following the decision of the local executive bodies, the notification shall be delivered electronically to the applicant in the personal profile of the portal. Following the decision of a public enterprise or public institution, the applicant shall be notified in writing by mail or by personal delivery.

Footnote. Paragraph 9 - as reworded by Decree of the Government of the Republic of Kazakhstan No. 756 of 27.09.2022 (shall become effective after ten calendar days from the date of its first official publication).

- 10. In registration for the provision of housing from the state housing fund or housing, rented by a local executive body in a private housing fund, shall be refused to citizens, the only housing of which shall be recognized as an emergency in accordance with the procedure established by the legislation of the Republic of Kazakhstan, when treated outside a locality where the home has been declared to be an emergency, and if it is established that a citizen has become in need as a result of the deliberate deterioration of his housing conditions over the past five years by:
  - 1) exchange of residential premises;
- 2) alienation of a habitable housing owned by it on the right of ownership, regardless of whether it was located in the same or another locality of the Republic of Kazakhstan, except in cases where the housing is purchased by the local executive body in case of inability of the pledge-holder a citizen of the Republic of Kazakhstan, the only housing of which was purchased on long-term concessional housing loans received in accordance with the legislation of the Republic of Kazakhstan, to fulfill obligations under the mortgage housing loan;
  - 3) destruction or damage of the housing by its fault;
- 4) leaving the home where he shall not have been in need of housing from the state housing fund or housing rented by the local executive body in the private housing fund :
- 5) the installment of persons other than the spouse, minors and disabled children, as well as disabled parents.

Footnote. Paragraph 10 as amended by the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the date of its first official publication)

- 10-1. Deregistration of citizens in need of housing from the state housing stock or housing rented by the local executive body in the private housing stock shall be carried out in the following cases:
- 1) if there are no grounds for providing housing from the state housing stock or housing rented by the local executive body in the private housing stock;
- 2) permanent residence in another locality or termination of labor relations in a state enterprise or state institution;
- 3) provision by a citizen of untrue information about the need for housing from the state housing stock or housing rented by the local executive body in a private housing stock;
- 4) obtaining a land plot and completing the construction of one's own home or acquiring a home;
  - 5) obtaining a rental home without the right of redemption.

Footnote. Rules as added by the paragraph 10-1 in accordance with 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);

- 11. Registration for housing from the public housing stock or housing leased by the local executive body in private housing shall be denied on the following grounds:
- 1) the documents filed by the recipient of a public service and (or) the data (information) contained therein are found to be unreliable;
- 2) non-compliance of the service recipient and/or the materials, objects, data and information submitted for the delivery of a public service with the requirements laid down in the Law and Article 19-1 of the Law of the Republic of Kazakhstan "On Public Service".

Footnote. Paragraph 11 - as reworded by Decree of the Government of the Republic of Kazakhstan No. 756 of 27.09.2022 (shall be put into effect ten calendar days from the date of its first official publication).

11-1. Orphans and children left without parental care, single-parent families, mothers with many children awarded with "Алтын алқа", "Күміс алқа" pendants or previously awarded the title "Mother Heroine", as well as those awarded with the order of "Mother Glory" of I and II degree, large families recognized as in need of housing and registered before obtaining housing shall not be subject to deregistration

Footnote. Rules as added by the paragraph 11-1 in accordance with the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); in the wording of 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).

11-2. Veterans of the Great Patriotic War, orphans and children left without parental care, mothers with many children awarded "Алтын алқа", "Күміс алқа" pendants or previously awarded the title "Mother Heroine", as well as those awarded the order of "Mother Glory" I and II, have the primary right to receive housing from a state housing stock or housing rented by a local executive body in a private housing stock. In the distribution of housings (re-commissioned or vacated by tenants), at least twenty per cent of the total number of housings rented by the local executive in the private housing stock to orphans and children left without parental care shall be allocated to the local executive in the private housing stock.

Footnote. Rules as added by the paragraph 11-2 in accordance with the resolution of the Government of the Republic of Kazakhstan dated 25.04.2015 № 322 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); in the wording of 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);

11-3. If a group I or II disability is established for a child with a disability who has attained the age of eighteen years and whose family is registered as a family with or raising children with disabilities, the child must remain on the waiting list for housing from the public housing stock or housing leased by the local authorities from the private housing stock until it is received.

Footnote. The Rules have been supplemented by paragraph 11-3 under Decree of the Government of the Republic of Kazakhstan No. 162 of 25.03.2022 (shall be enacted ten calendar days after the date of its first official publication); as reworded by Decree of the Government of the Republic of Kazakhstan No. 850 of 26.10.2022 (shall come into force ten calendar days after the date of its first official publication).

12. Local executive bodies of the region, cities of regional significance, cities of republican significance, the capital annually shall carry out an inventory of the lists of priorities of citizens of the Republic of Kazakhstan, which are registered for housing from the communal housing stock, in an automated mode through the Unified National System of waiting lists integrated with the information systems of state bodies in order to update the lists of waiting lists that are registered for housing.

In the absence of information in the information system or changes in the information about the applicant and his family members, the applicant shall be notified by local executive bodies by sms - notification to the mobile phone about the need to update the relevant documents through the State Corporation or portal.

Footnote. Paragraph 12 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 23.06.2020 № 381 (shall be enforced upon expiry of ten calendar days after the day of its first official publication);

Appendix 1
to the Rules for Registration
of Citizens of the Republic of Kazakhstan
in Need of Housing from the State
Housing
Fund or Housing Leased by the Local
Executive Body in Private Housing
Document form

Footnote. Appendix 1 - as reworded by Decree of the Government of the Republic of Kazakhstan No. 756 of 27.09.2022 (shall be enacted ten calendar days from the date of its first official publication).

Name of the structural unit of the local executive body of the cities of Astana, Almaty and Shymkent, district and city of regional status, exercising

functions in the field of
housing relations from a citizen
(surname, name, patronymic
(if any),
individual identification number (hereinafter referred to as IIN)
Application form
I ask you to register me for a dwelling from the state housing fund/ dwelling leased
by the local
executive body in a private housing fund of rooms under paragraph 1 of
Article 75 of the Law
of the Republic of Kazakhstan "On Housing Relations" as per:
1) the list of persons in need of housing from the communal housing stock
(the name of the list under paragraph 2 of Article 74 of the Law)
2) category;
3) family composition:
(degree of kinship)
IIN:; 4) data on additional income (for citizens from socially vulnerable groups,
excluding orphans, children
deprived of parental care and families raising children with disabilities):
;
(earnings from wages (excluding pension tax), social benefits, business and other activities, child support
•
and other dependants, household plots, including livestock and poultry, gardening, horticulture; other
income, name of income and amount for the last twelve months prior to the
application);
5) details of a woman who is more than twenty-two weeks pregnant, IIN:
;
6) details of a child with a disability, IIN:;
7) data on disability, elderly, cardiovascular and other serious illnesses (underline
as appropriate), IIN:;
8) details of disability with a mobility impairment, IIN:
;

9) details of the place of employment:
- (business identification number, for the list of citizens by category of civil servant employees of budgetary
establishments, military personnel, candidates for astronauts, cosmonauts
employees of special state agencies
and persons holding public elective offices);
10) details of the guardian (custodian) and foster carer:
(IIN, number and date of the order establishing custody or guardianship or the number and date of the
foster care agreement, name of the authority that decided on the establishment of
custody or guardianship,
which concluded the foster care agreement);
11) data on dilapidated housing:
(type of property, cadastral number, region, district, settlement, street, house, block
, flat);
12) consent or denial in the allocation of housing that does not match the squar
footage (less than the allocated area),
completeness and number of storeys: agree, disagree (underline as appropriate);
13) mobile phone number:;
14) email
I do not object to the verification of whether or not I and my family members living
permanently with me permanently
use a communal dwelling from the housing stock in the municipality in question.
I agree to the use of legally protected information contained in information system
""20
(signature)
Enclosure:
1;
2
(date, signature)
(ante, organicale)
Annex 2

to Rules for registration of the citizens of the Republic of Kazakhstan, in need of housing from state housing fund or housing, rented by a local executive body

in private housing stock

Footnote. Annex 2 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 23.06.2020 № 381 (shall be enforced upon expiry of ten calendar days after the day of its first official publication);

To the head of the state institution/
state enterprise
(name, surname, patronymic (if any)
from a citizen
( name, surname, patronymic (if any),
the address of residence
individual identification number
( hereinafter referred to as IIN)
pplication
I hereby ask you to register me for the provision of housing from the housing stock f a state institution/state enterprise in the number of rooms in accordance with article 75, paragraph 1 of the Law of the Republic of Kazakhstan "On Housing elations" according to the composition of the family in category  Family composition: 1.
(surname, first name, patronymic (if any) of a family member, degree of elationship)
IIN:
I hereby do not object to checking whether I have or do not have family members ermanently living with me in permanent use in this locality of housing from the ommunal housing stock.
I hereby agree to the use of information constituting a secret protected by law
ontained in information systems"", 20
(signature)
Annex: 1;
2
(date, signature)
Annex 3 to Rules for registration of the citizens

to Rules for registration of the citizens of the Republic of Kazakhstan, in need of housing from state housing fund or housing, rented by a local executive body in private housing stock

Footnote. Rules as added by the annex 3 in accordance with the resolution of the Government of the Republic of Kazakhstan dated 23.06.2020 № 381 (shall be enforced upon expiry of ten calendar days after the day of its first official publication);

(date, signature)