

10 structural and legal checks homebuyers should follow before investing in real estate

Homebuyers should ensure construction quality and legality of the building before signing on the dotted line.

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The last few days have witnessed a series of building collapses in Greater Noida and Ghaziabad primarily due to poor construction quality and weak foundation. Most of these constructions were in urban villages adjoining developer societies.

Those who purchased flats in such buildings were motivated by the price, which was almost half of what the legal, engineered structure beside was being sold for. Besides this, the facade and interiors seemed fine.

Home loans were also readily available, so was electricity and water supply. There were no issues with property registration as well. Rust on steel beams or the waterlogging around such properties did not seem much of a problem or were simply ignored. As a result, these structures collapsed.

Here are some important suggestions that a homebuyer must follow before investing in a house.

1. Firstly, hire a civil engineer to check the physical condition and construction quality of the building. A homebuyer should first opt for an engineered construction, but in case a non-engineered construction suits your budget, do not forget to ask for the structural design.
2. Also ask a builder for a blueprint of the building. If he is not forthcoming, check for other available options.
3. Ensure there is no water logging around the structure. Always ensure that the level of the house is at least 1 foot above the level of the road.
4. The size of the pillars and beams used as the foundation is important as some of these buildings are constructed on earthquake zone 4. The minimum size of the pillar should be at least one foot and the minimum size of the beam should be 1 inch per foot length, says Dr Abhay Gupta, structural engineer and owner of Skeleton Consultants Pvt Ltd.
5. If quality tests have not been conducted for concrete used in construction, ensure the structural engineer accompanying you tests it on site.
6. Check for the depth of the foundation of the building. In areas where there is water logging and no basement, the foundation should be at least 10 feet deep. If there is a basement, the foundation should go way below the basement.
7. A building is ideally designed for 60 years. The age of a building is considered while working out the cost of the structure, explains Gupta. “We consider buildings to have a life of 60 years and all design forces are considered for that time period. Most buildings that have come up even 15 years ago, are unlikely to survive for more than 10 years because of poor construction quality. Their steel reinforcements have started to rust and the columns have begun to crack,” he adds.
8. Check for signs of rust. Look for small dark brown patches or cracks along the building. The rust volume increases when steel gets corroded. In buildings with open stilt parking, one will often find signs of cracks on concrete on pillars.

9. Check the transformers and electricity poles and how have they been positioned or installed.
10. The sewage system of the building should be linked to a government approved drainage system. Check if this is the case with the building where you're buying a flat as well.

Gupta, who owns Skeleton Consultants, says that the incidents in Greater Noida and Ghaziabad are an eye opener and warns that there may be as many as 1,000 more buildings in the area that are on the verge of collapse.

The main problem with these buildings is that they have not been designed by professionals which means the structural design is inadequate, there are issues with quality of construction and the depth of the foundation is shallow, he suggests.

Pointing out that the cost of hiring a structural engineer for a small sized project could be approximately Rs 10 per sq ft and for a large project could be as low as Rs 3 per sq ft, the amount is miniscule as compared to what it costs a developer to construct an apartment – anything between Rs 700 to Rs 1,200 per sq ft.

Check legal documents are in order

To ensure that the building is legal, homebuyers should ask for the title document, check the nature of the land where the building is being constructed, the building layout plan and completion certificate.

Every builder has to adhere to laws set by a municipality or local government. In case of Shahberi, the industrial bylaws apply as it is an industrial notified area. This means that the regulations of Greater Noida Authority are applicable, say officials.

Also, registration of a property and construction of a property as per law are handled by two separate authorities. Registration is not dependent on whether the property has been constructed as per building laws or not.

Registration of properties is governed by the Registration Act, 1908. The government charges stamp duty to recognize that the property has exchanged hands. The process is not related to construction laws.

“Whether the owner has constructed the property as per the law or not, that is for the authority to check and is not related to the process of registration. If a person wants to add a room in a building or a floor, he needs to take the authority’s permission and not the registrar’s permission,” explains BN Singh, District Magistrate of Gautam Budh Nagar.

Sunil Tyagi of Zeus Law says that as far as possible buyers should avoid buying in "village abadi" areas as there will always be a grey area pertaining to ownership and rights. Areas that are not notified by the concerned authority, may not be regulated by the authority’s rules and regulations, so a buyer may be exposed to a high degree of risk.

Homebuyers must always ask for plans sanctioned by the concerned authority, he suggests and adds that only if the property comes under the Master Plan notified area, will it be governed by RERA.