

RERA Rules for Parking Allotment in Hyderabad

What counts as common area vs. sellable property

- Open parking and stilt parking are classified as common areas under RERA and cannot be sold to individual flat owners.
- These common parking spaces automatically transfer to the apartment association once it is registered, as upheld by the Supreme Court.
- Only enclosed, lockable garage parking can be sold, and only if it is explicitly mentioned in the registered sale deed.
- Visitor parking and any other common-area parking can never be sold to an individual, regardless of demand or willingness to pay.

Legal framework governing allotment

- The RERA Act, 2016 sets the national framework for parking allotment, restricting builders from selling common parking spaces.
- The Telangana Apartment Act works alongside RERA to govern local parking regulations specific to Hyderabad.
- Builders must comply with both frameworks when allotting parking in any residential project.

Minimum space requirements builders must follow

- A minimum of 2 equivalent car spaces (ECS) must be provided for every 100 sq.m. of floor area in a residential complex.
- This translates to approximately 1 ECS for a 3-BHK flat and 2 ECS for a 4-BHK flat.
- As per RERA and National Building Code norms, the minimum size is 13.75 sq. metres for a car and 1.25 sq. metres for a two-wheeler.
- Local authorities in Hyderabad typically require 5% to 25% of total parking space to be reserved for visitors.

Who controls parking once the project is handed over

- Once registered and handed over, the apartment association or housing society, not the builder, has authority over parking allotment.
- Societies can set their own parking fees and charge members for allotted spaces, even if the space goes unused.
- No member can sell, transfer, cover, or repurpose their allotted parking space without society approval.

What happens if a builder violates allotment rules

- If a builder attempts to sell common parking as private property, it can be challenged before the state RERA authority.
- Residents or the apartment association can also approach a consumer court if the builder refuses to comply with a RERA ruling.
- Courts have consistently sided with associations in disputes over common parking ownership, reinforcing that builders hold no resale rights over these spaces.