



# **GUIDE FOR THE REGULATION ON THE IMPLEMENTATION OF THE TURKISH CITIZENSHIP LAW\***

**(The Acquisition of Turkish Citizenship Through  
Immovable Property Acquisition)**

GENERAL DIRECTORATE OF LAND REGISTRY AND  
CADASTRE



**CIRCULAR NO. 1799  
(2019/5)**

## **PURPOSE AND SCOPE**

This guide has been developed to set forth the rules and procedures to be applied by land registry offices in relation to transactions on acquiring Turkish citizenship through the acquisition of property and to inform foreign nationals.

The rules and procedures to be applied by land registry offices shall be addressed under 14 main headings as shown below.

- A) Basis
- B) Statutory Restrictions
- C) Nature of Property
- Ç) Number of Properties
- D) Valuation
- E) Receipt
- F) Instalment Sales
- G) Transactions between Foreign Nationals
- H) Mortgage and Attachment
- I) Authorisation
- İ) Obtaining Commitment
- J) Cancellation of Commitment
- K) Transactions on Registered Property
- L) Archiving and Communication of Results of the Transaction



## A) BASIS

Under sub-paragraph (b) of the second paragraph of Article 20 of the Regulation on the Implementation of the Turkish Citizenship Law, foreign nationals:

"Found by the Ministry of Environment and Urbanisation to have purchased property worth no less than 250,000 American Dollars or an equivalent amount in another currency with an annotation on the title deed stating that the property may not be sold for a period of three years, or to have entered into a preliminary sales contract before the notary, under which the buyer of the property has paid 250,000 American Dollars or an equivalent amount in another currency and which has been included in the land registry along with an annotation that the buyer undertakes to not assign or transfer the property for a period of three years"

Can acquire Turkish citizenship through a Presidential decree.

Three amendments were made to the Regulation on 12.01.2017, 19.09.2018 and 07.12.2018.

Accordingly, it is required that:

- 1- The value of immovable/immovables purchased between 12.01.2017 and 18.09.2018 is 1,000,000 American Dollars (USD);
- 2- The value of immovable/immovables purchased/to be purchased after 19.09.2018 is 250,000 USD;
- 3-The value of immovable/immovables subject to a preliminary sales contract after 07.12.2018 is 250,000 USD.

This will not apply to immovable/immovables that was purchased before the effective date of the first amendment to the Regulation on 12.01.2017, and property subject to a preliminary sales contract before 07.12.2018.



## B) STATUTORY RESTRICTIONS

As per the Council of Ministers Decision taken pursuant to Article 35 of the Land Registry Law amended by the Law no. 6302, the foreign nationals from 183 countries that can acquire property in Turkey and the associated requirements were determined, communicated to all land registry offices through Circular no. 2012/12 (1734), and integrated into TAKBIS.

Example: As Syrian nationals cannot acquire property in our country in their own name, they cannot apply for citizenship through acquisition of property.

Foreign real persons can acquire up to 30 hectares of land and no more than 10% of a district's area subject to private ownership.

Foreign real persons can purchase property in "Special Security Zones" and enter into a preliminary sales contract for such property after obtaining permission from the Governor's Office. However, they cannot purchase or enter into a preliminary sales contract for any property in military forbidden zones and security zones or other areas where it is prohibited for foreign nationals to acquire property.

Since Circular no. 2017/4 (1775) makes reference to the registry of property in the provinces where military forbidden zones and security zones are located, transactions are carried out according to the records in the land registry without having to exchange correspondence with the competent command posts in those provinces.

In this regard, foreign nationals wishing to acquire Turkish citizenship by purchasing property or entering into a sale promise contract (because promise sale contracts, considered as a preliminary contract, are deemed to have the same status as sales) are required to meet all requirements concerning acquisition of property with respect to nationality and statutory restrictions.

Since the Regulation covers acquisition of property by foreign real persons in their own name, any acquisition of property in the name of the spouse, children, etc. of foreign real persons, or on behalf of the legal personality of a company of which they are a manager/partner will not be considered.

## C) NATURE OF PROPERTY

### 1-In Sales Transaction:

There is no restriction concerning the nature of property to be acquired through sales (residence, workplace, land, field, garden, etc.).

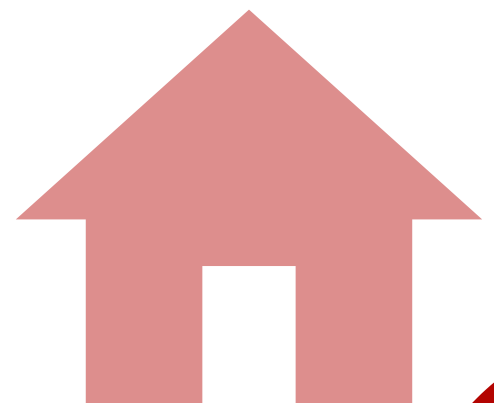
However, Circular no. 2013/15 (1752) requires that foreign nationals obtain preliminary permits for acquisition of agricultural lands under the agricultural legislation and undertake to submit an agricultural project within two years, and to undertake to submit a construction/building license project to the relevant municipality or other authorities in the case of acquisition of building plots without buildings within two years.

In terms of jointly-owned property, the statement that "I am aware of the legal pre-emptive right of other shareholders" is required to be included in the bill of sale, and the relevant parties are required to be informed about the transaction.

### 2- In Preliminary Sales Contract Transaction:

Preliminary sales contracts to be drawn up before a notary are only possible for property with ownership of condominium or floor easement.

The independent unit that the promiser undertakes to purchase needs to be registered in the name of the promiser when making a commitment. In other words, the promise of a promise is not possible. One cannot make a commitment for more than one preliminary sales contract for an independent unit.



## Ç) NUMBER OF PROPERTIES

There is no restriction to the number of properties that can be acquired through sales or be subject to promise of sale. It is essential that the values set forth on the specified dates in the Regulation are met.

In this context, following the acquisition of one or more pieces of property from, or conclusion of a preliminary sales contract with a Turkish national, it is possible to acquire one or more pieces of property from, or to enter into a preliminary sales contract with a Turkish national in order to reach the amount of 1,000,000 USD or 250,000 USD.

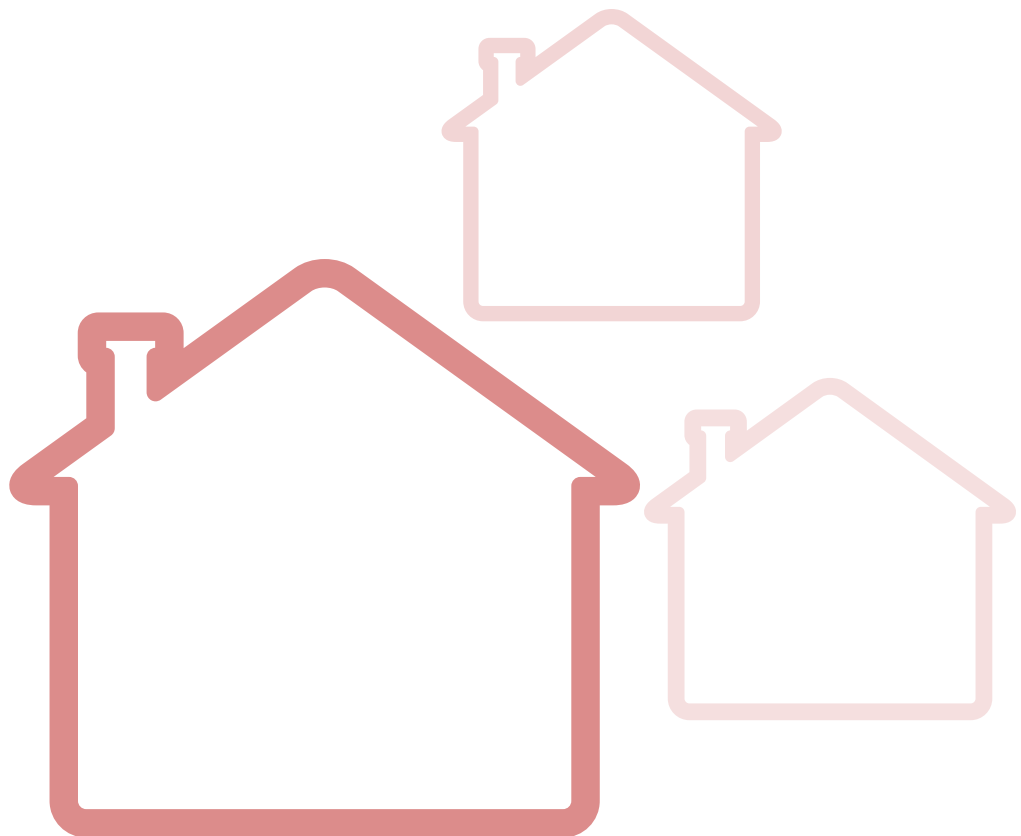
Example 1: Foreign national A.A.: If an advance payment of 310,000 Turkish Lira (TRY) (57,451 USD based on the Turkish Central Bank's (TCMB) exchange rate on 04.03.2019, which is 1 USD = 5.3959) has been made on 05.03.2019 as the price of a statutory form preliminary sales contract drawn up on the same day before the 14th Notary of Bursa for the independent unit no. 7 at block 1878 and parcel 4 in Yeniçeri Quarter in Osmangazi, Bursa following the sale of the independent unit no. 5 at block 102 and parcel 3 in Kültür Quarter in Esenler, Istanbul for 205,000 USD on 31.10.2018, it is possible to reach the total amount required (262,451 USD).

Example 2: Foreign national B.B.: By carrying out a sales transaction for a detached house at block 101 and parcel 2 in Çamlık Quarter in Korkuteli, Antalya at 94,000 USD on 19.03.2019 following an advance payment of 182,000 USD under a statutory form preliminary sales contract drawn up before the 1st Notary of Kemer on 10.12.2018 for the independent unit no. 14 at block 105 and parcel 9 in Sağlık Quarter in Kemer, Antalya, it is possible to reach the total amount required (276,000 USD).

Example 3: Foreign National C.C.: By entering into a statutory form preliminary sales contract drawn up before the 7th Notary of Altındağ on 14.02.2019 for the independent units 8, 9 and 10 at block 402, parcel 3 and part B in Akdere Quarter in Mamak, Ankara, under which a down payment of 20,000 USD was made on 16.01.2019 and a payment of 1,270,000 TRY on 13.02.2019 (240,475 USD based on the TCMB's exchange rate on 12.02.2019, the last working day before the payment date, which is 1 USD = 5,2812 TRY), it is possible to reach the total amount required (260,475 USD).

Example 4: Foreign National D.D.: By entering into a statutory form preliminary sales contract before the 6th Notary of Kocaeli on 24.01.2019 for the workplace no. 1 at block 302 and parcel 34 in Sanayi Quarter in Körfez, Kocaeli, under which an advance payment of 1,070,000 TRY (200,686 USD based on the TCMB's exchange rate on 23.01.2019, the last working day before the payment date, which is 1 USD = 5,3317 TRY) is made on the same day and a statutory form preliminary sales contract before the 3rd Notary of Düzce on 15.04.2019 for the independent unit no. 2 at block 101 and parcel 8 in Sedir Quarter in Düzce under which an advance payment of 400,000 TRY (68,944 USD based on the Turkish Central Bank's exchange rate on 12.04.2019, the last working day before the payment date, which is 1 USD = 5,8018 TRY) is made on the same day, it is possible to reach the total amount required (269,630 USD).

Once the amount required under the Regulation is reached, the Land Registry Office, where the final transaction will be carried out or to which the application has been made, will obtain a commitment under the legislation on out-of-jurisdiction title deed transactions. (See: İ- Obtaining Commitment)



## D) VALUATION

Three types of values, namely, the sale price/prices declared on the bill of sale and/or the value/sum of values specified in the preliminary sales contract, the value/sum of values specified in the valuation report, and the transfer/payment of price made are required to meet the values of 1,000,000 USD or 250,000 USD set forth separately in the Regulation on the specified dates.

As valuation will be made based on the value declared on the bill of sale in sales transaction, specific attention should be paid to declaring the value after a calculation based on the applicable exchange rate, and applicants should be thoroughly informed by emphasizing that the value declared on the official deed cannot be changed.

### 1- Exchange Rate:

The exchange rate published on the official website of the TCMB will be used to find the USD equivalent of transactions carried out in Turkish lira (<http://www.tcmb.gov.tr/wps/wcm/connect/TR/TCMB+TR/Main+Menu/Istatistikler/Doviz+Kurlari/Gosterge+Niteligindeki+Merkez+Bankasi+Kurlarii/>).

TCMB's exchange rates are announced at 3.30 PM every working day. Thus, the following exchange rates will be used to avoid any currency risk and problem in the transactions to be conducted. The Department of Foreign Affairs will be the competent authority in the resolution of currency problems that might arise in valuation.





### a)Exchange Rate in the Bank Receipt:

In the case that the value specified in the bank receipt is in TRY, the TCMB's exchange rate on the last working day right before the date of payment will be used to calculate its USD equivalent.

### b)Exchange Rate in the Sales Transaction/Preliminary Sales Contract:

Valuation can be made in three different ways in a sales transaction or preliminary sales contract.

**I.**The TCMB's exchange rate on the last working day before the date of application for the sales transaction or before the date on which the preliminary sales contract was drawn up in the notary will be used to calculate the USD equivalent of the bill of sale or the value specified in TRY in the preliminary sales contract.

**II.**In calculating the USD equivalent of the bill of sale value or the value specified in TRY in the preliminary sales contract, valuation can be carried before the sales transaction/preliminary sales contract and based on the exchange rate used for the bank receipt (or bank receipts drawn up on the same day) that meets the USD value required under the Regulation.

**III.**In the case of more than one bank receipt with different dates being submitted, exchange rate difference may be a problem in calculating the USD equivalent of the bill of sale or the value specified in TRY in the preliminary sales contract.

In this case, valuation can also be carried out as follows without calculating the USD equivalent of the bill of sale value or the value specified in TRY in the preliminary sales contract:

The value specified in TRY in the bill of sale or the preliminary sales contract should not be lower than the sum of the values specified (in TRY) in the bank receipts that meet the USD value requirement provided for in the Regulation (based on the TCMB's exchange rate on the last working day before each payment date). Thus, it is possible to determine that the value requirement has been met.



In the event that the bank receipt amount on which the valuation is based includes other items than the sale price of the property (commission, expenses, etc.), the cost of those items will be deducted from the total amount and the remaining amount will be used in the valuation, provided that the details of this operation are indicated in the remarks section of the bank receipt.

**Example:** Assume that two bank receipts were submitted in relation to the sale of the independent unit (IU) no. 5 on 19.04.2019.

<b>Exchange Rates in the Bank Receipt:</b>						
No.	PROPERTY	DATE OF TRANSACTION	AMOUNT IN TRY	DATE OF EXCHANGE RATE	EXCHANGE RATE (USD)	PAYMENT (USD)
1	IU No. 5	20.11.2018	1,250,000	19.11.2018	5.3407	234,051
2	IU No. 5	04.12.2018	100,000	03.12.2018	5.2078	19,201
<b>Sum of Amounts in the Bank Receipts (USD):</b> 234,051 + 19,201 = 253,252 USD						

Based on the TCMB's exchange rate on the last working day before each payment date, the sum of the bank receipt amounts that meets the USD value as required under the Regulation (253,252 USD) is 1,350,000 TRY. If a value of at least 1,350,000 TRY is declared for the IU 5 in the sales transaction on 19.04.2019, it is possible to meet the required value.

### c) Exchange Rate in the Property Valuation Report:

In calculating the USD equivalent of the value specified in TRY in the valuation report, the TCMB's exchange rate on the last working day before the date of the report will be used.

**Example:** The current value of the property in the valuation report of 11.03.2019, submitted in the application for sale dated 08.04.2019, is 1,375,000 TRY. Based on the TCMB's exchange rate on the last working day (08.03.2019) before the date of the report: 1 USD = 5.4724 TRY;  $(1,375,000 / 5.4724 = 251,260)$

The Property's Reported Value is 251,260 USD.

In the event that the valuation report is drawn up after the sales transaction (since it was not drawn up because it was not obligatory for the transactions carried out before 04.03.2019), the TCMB's exchange rate on the last working day before the date of application for the sales transaction will be used to calculate the USD equivalent of the value specified in TRY in the report.

Example: The current value of the property in the valuation report dated 25.04.2019 that was not submitted in the application for sale dated 04.02.2019, but submitted when obtaining commitment, is 1,400,000 TRY. Based on the TCMB's exchange rate on the last working day (01.02.2019) before the date of the sale/application: 1 USD = 5.2116 TRY);  $(1,400,000 / 5.2116 = 268,631)$

The Property's Reported Value is 268,631 USD.

## 2- Property Valuation Report:

A property valuation report that indicates the property's current market value is required to be submitted to confirm that the value requirement of 1,000,000 USD or 250,000 USD under the Regulation has been met.

Property valuation report will be obtained from one of the real estate valuation companies listed on the website of the Capital Markets Board (CMB) (<http://www.spk.gov.tr/SiteApps/SirketIletisim/List/gds>) or the Turkish Appraisers Association (<http://www.tdub.org.tr/Web/CompanyListForm.aspx?UID=a11d0b04-de56-4ab0-9bb87c2c8863ba92>).

A valuation report submitted during an application will be valid for three months following the date of the report, and no new report will be requested for any transaction for which an application has been made during this period.

The valuation report should be based on the value in effect on the date of the report for structures actually constructed and completed, and the value that will arise when the building is completed concerning properties whose construction is continuing and with floor easement.

Under Circular no. 2019/1, it is possible to set a sales value or preliminary sales contract value that is lower than that in the valuation report. In this scope, the valuation report is not binding under the applicable legislation with respect to sales value and title deed fee.

It is not obligatory to submit a valuation report for the transactions carried out by foreign nationals before 04.03.2019. Therefore, in a sales transaction or statutory form preliminary sales contract for which no valuation report has been obtained, a valuation report that has been drawn up no earlier than three months before the transaction, if any, can be used in valuation (based on the TCMB's exchange rate on the last working day before the date of the report).

Example: (Concerning Valuation Report, Exchange Rate and Valuation)

A bank transfer of 680,000 TRY was made (24.01.2019) for the sale of IU 9 and the sale transaction was carried out with a declared value of 680,000 TRY (01.02.2019).

In the valuation report (05.03.2019), the current value of IU 9 is 740,000 TRY and the current value of IU 10 is 790,000 TRY.

However, a bank transfer of 730,000 TRY and a sale application were made for IU 10 on 06.03.2019 in order to reach the required amount of 250,000 USD. The valuation when the sales transaction was carried out at a price of 730,000 TRY on 07.03.2019;

#### TCMB's USD Exchange Rates;

PROPERTY	DATE OF TRANSACTION	DATE OF EXCHANGE RATE	EXCHANGE RATE (USD)	TRANSACTION
IU No. 9	01.02.2019	23.01.2019	5.3317	Sale and Payment
IU No. 9	05.03.2019	31.01.2019	5.2281	Report
IU No. 10	05.03.2019	04.03.2019	5.3959	Report
IU No. 10	07.03.2019	05.03.2019	5.3848	Sale and Payment
<b>Reported Values:</b>				
IU No. 9: $740,000 / 5.2281 = 141,542$ USD				
IU No. 10: $790,000 / 5.3959 = 146,407$ USD				
<b>Sum: 287,949 USD</b>				

#### Bank Receipt and Bill of Sale Values:

IU No. 9: $680,000 / 5.3317 = 127,539$ USD	
IU No. 10: $730,000 / 5.3848 = 135,566$ USD	
<b>Total = 263,105 USD</b>	

## E) RECEIPT:

If the transfer/payment of the sale price or preliminary sales contract price is made via a bank, this should be certified by submitting a receipt (indicating the bank transfer, EFT or certified check) approved by the bank, which indicates that the price has been paid by the purchaser or relevant persons to the bank account of the seller or relevant persons. In case of a transfer from abroad, the receipt of the account from which the price has been paid should also be submitted.

The date of the receipt can be later than the date of the sales transaction. In the case of preliminary sales contract, however, the date of the receipt should not be later than the date on which the contract was drawn up before the notary. A payment receipt drawn up later than the date of the contract before the notary will not be accepted, as it will not be deemed to be an “advance” payment. The receipt must be submitted when making commitment transaction and before drawing up the certificate of conformity at the latest.

Land Registry Offices will make reasonable relevance assessment in relation to whether the price transfer/payment has been made between the relevant persons (Agent, Flat-for-Land Construction Contract Right Holder, Attachment or Lien Creditor, Company Owner's Account, etc.), but in case of doubt, they will send the receipt to the department that will furnish the certificate of conformity without assessing expediency.

It is possible to submit an approved bank receipt or an official letter indicating that the price transfer/payment has been made for the properties owned by public institutions and shareholders, such as TOKI, Emlak Konut A.Ş., etc.

As Circular no. 2018/12 (1791) of 15.10.2018 (repealed) introduced for the first time an obligation to submit a receipt for the transactions, a receipt should be obtained if submitted for sales transactions carried out before 15.10.2018, and their submission should be made obligatory if not submitted.

## F) INSTALMENT SALES

### 1-In Sales Transaction:

Instalment payments made after the effective date of the Regulation on 12.01.2017 will be added after they are calculated based on the exchange rate.

### 2- In Preliminary Sales Contract Transaction:

Since the provision on preliminary sales contracts entered into force on 07.12.2018, payments under preliminary sales contracts before that date will be disregarded. At least 250,000 USD or its equivalent in TRY or another currency must have been paid in advance no later than the date of the preliminary sales contract drawn up before the notary, provided that it is after the abovementioned effective date of the Regulation. Payments made after the execution date of the contract will not be accepted, as they will not be deemed to be advance payments.

### 3- Carrying out Sales and/or Preliminary Sales Contract Transactions Together:

In this context, following the acquisition of one or more pieces of property from, or conclusion of a preliminary sales contract with a Turkish national, it is possible to acquire one or more pieces of property from, or to enter into a preliminary sales contract with a Turkish national in order to reach the amount of 1,000,000 USD or 250,000 USD.

An example is given in "Ç Number of Properties".

When two types of transactions are assessed together, the payment under the preliminary sales contract must be made in advance and the sum of the values appraised and the payments made must meet the values required under the Regulation.

## G) TRANSACTIONS BETWEEN FOREIGN NATIONALS:

1)(Amended by court approval of Docket No.69083781-010.06.02-861963 of 22.03.2021). The immovable/immovables subject to sale or promise of sale must not be registered to any foreign real person (including their spouse and children).

2(Amended by court approval of Docket No. 69083781-010.06.02-861963 of 22.03.2021). The immovable/immovables subject to sale or promise of sale must not be transferred to a Turkish national/company by a foreign national that will acquire the property in an attempt to acquire citizenship or by their spouse and children or any foreign real person of the same nationality after 12.01.2017.

After its transfer to a Turkish national/company after 12.01.2017, however, it is possible for a property registered to a foreign national to be acquired by a foreign real person of another nationality for the purpose of acquiring citizenship.

3(Amended by court approval of Docket No. 69083781-010.06.02-861963 of 22.03.2021). The immovable/immovables subject to sale or promise of sale must not be registered in the name of a legal person of which the foreign real person that will acquire it or their spouse and children are a shareholder or manager, or a legal person (foreign/international capital) subject to article 36 of the Land Registry Law, of which the foreign real persons of the same nationality are a shareholder.

4(Amended by court approval of Docket No.69083781-010.06.02-861963 of 22.03.2021). Following acquisition of citizenship through a sales transaction or a preliminary sales contract, the same property or property share may not be sold for the purpose of acquiring citizenship again.

**Example 1:** Foreign national M.T. acquired Turkish citizenship by entering into a preliminary sales contract before the 11th Notary of Büyükçekmece with the Turkish national R.D. on 02.11.2020 for the full share of the independent unit no. 27 at block 102 and parcel 3 in Yeniçağ Quarter in Esenyurt, Istanbul with a price of 252,000 USD and obtaining a certificate of conformity after putting an annotation in the title deed to the effect that he will not assign or transfer the property for a period of three years. Following the expiry of the commitment, the same property may not be purchased by a foreign national for the purpose of acquiring citizenship through a sales transaction or a preliminary sales contract, even if the property owner has changed.

**Example 2:** After purchasing 1/2 share of the independent unit No. 5 at block 103 and parcel 4 in Mutlu Quarter in Şişli, Istanbul on 03.11.2020 at a price of 255,000 USD, foreign national A.K. promised not to sell it for a period of three years and acquired Turkish citizenship upon obtaining a certificate of conformity. Following the expiry of the commitment, the same share may not be purchased by a foreign national for the purpose of acquiring citizenship through a sales transaction or a preliminary sales contract, even if the owner of the share has changed.

5).(Paragraph added by court approval of Docket No. 69083781-010.06.02-861963 of 22.03.2021) In the case that a property is transferred (sold back) to the legal person or Turkish national following the expiry of the commitment for the foreign national that acquired Turkish citizenship through the acquisition of property (excluding mandatory transfers due to a court ruling, execution order, etc.), or that the property is transferred to a third person in violation of the annotation in the preliminary sales contract, the issue will be referred to the General Directorate and the status of the certificate of conformity on which the acquisition of Turkish citizenship is based will be reassessed.

Foreign real persons that acquired citizenship through the acquisition of property, whose MERNIS registration includes the statement "... has acquired Turkish citizenship as per sub-paragraph (b) of Article 12 of the Turkish Citizenship Law no. 5901", will be considered to have a foreign national status until the expiry of the commitment.

(Such persons may not sell their registered property over the course of their commitment. In this period, they can sell their unregistered property (if available) to foreign real persons that do not intend to acquire Turkish citizenship or to Turkish nationals, but cannot sell it to foreign real persons that intend to acquire property for the purpose of acquiring Turkish citizenship.)

Persons whose Turkish citizenship is ceased by renunciation upon permission (those with a blue card) will not be considered to have foreign status in this context.

In case of having citizenship of another country in addition to Turkish citizenship (dual citizenship), Turkish citizenship will be taken into account in all transactions conducted.



## H) MORTGAGE AND ATTACHMENT:

### 1-In Sales Transaction:

In the event that the property has been acquired through a sales-mortgage transaction, the amount remaining after deducting the amount of loan from the sale price must be no less than the amount required under the Regulation.

In sales through legal mortgage, the amount paid in advance excluding the mortgage amount must be no less than the amount required under the Regulation.

It is possible to sell the property with the outstanding mortgage debt or through attachment. In this case, the personnel carrying out the transaction should inform the foreign national about the mortgage/attachment on the property.

### 2- In Preliminary Sales Contract Transaction:

It is possible to make a commitment through a preliminary sales contract for the mortgaged or attached property. In this case, the personnel carrying out the transaction should inform the foreign national about the mortgage/attachment on the property.



# I- AUTHORISATION:

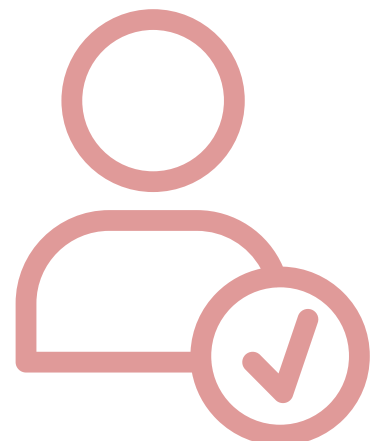
## 1-In Sales Transaction:

In any transaction to be carried out by proxy, the power of attorney should contain the authorisation to purchase as well as the authorisation to make a commitment not to sell the property for a period of three years, or a statement that this acquisition is for the purpose of acquiring Turkish citizenship and the authorisation to apply for citizenship within the framework of the Turkish Citizenship Law and the relevant legislation.

## 2- In Preliminary Sales Contract Transaction:

In the event that a statutory form preliminary sales contract drawn up as per article 89 of the Notary Law contains a statement that the contract has been concluded for the purpose of acquiring citizenship [as it is known by the commitment debtor (Turkish national/company owning the property) that the claimant of commitment (foreign real person) wants to purchase the independent unit for this purpose], commitment will be obtained upon request by the claimant of commitment without having to obtain consent of the commitment debtor, provided that other conditions are met.

In the event that the contract does not contain any statement to the effect that the property is being acquired for the purpose of acquiring citizenship, commitment will be obtained upon the request for registration of both parties.



## i) OBTAINING COMMITMENT:

It should be confirmed that the value required under the Regulation on the specified dates has been met in accordance with the valuation rules and a binding promise should be obtained for the property that meets the required value (sum of values in case of more than one property). Commitment should not be obtained and no referral should be made to the authority that will issue the certificate of conformity before the value required on the specified dates is met.

**Example:** If the foreign national G.G. purchases the independent unit no. 3 at block 101 and parcel 7 in Sahil Quarter in Konyaalti, Antalya for 108,000 USD on 10.04.2019 and declares that "he purchased this property for the purpose of acquiring Turkish citizenship and will later buy another property to meet the required value" or that "he purchased this property for the purpose of acquiring Turkish citizenship, made a commitment two months ago not to sell the property he purchased in Eyüpsultan, Istanbul for a period of three years, or can make such a commitment later on", no commitment should be obtained and no referral should be made to the authority that will issue the certificate of conformity.

### 1- In Sales Transaction:

If the values declared in the sales transaction meet the value required under the Regulation, the bill of sale will contain the following statement:

(Amended by court approval of Docket No. 69083781-010.06.02-861963 of 22.03.2021) " Under Article 20 of the Regulation on the Implementation of the Turkish Citizenship Law, I undertake that I will not sell these immovable/immovables that I acquired for the purpose of gaining Turkish citizenship for three years. I am aware that in the event of any of the information and documents to be submitted for this purpose being found to be incomplete, incorrect or misleading, procedures will be carried out pursuant to article 31 of the Turkish Citizenship Law no. 5901, which states that "the decision of acquisition of Turkish citizenship shall be cancelled by the decision making authority if the concerned person acquired citizenship by a false declaration or by concealing important matters that constitute the basis for acquiring citizenship."

Additionally, the following statement will be added to the register of the property: " Within the scope of Article 20 of the Regulation on the Implementation of Turkish Citizenship Law, there is a commitment to not be sold within 3 years from the date of acquisition / declaration (from the date of declaration if requested by the registration certificate)."

In the event that the value required under the Regulation is met based on the valuation report, bank receipt and bill of sale in relation to the immovable/immovables acquired through sale after 12.01.2017 for which no commitment has been obtained, commitment will be obtained by drawing up a registration request document upon the request of the owner and will be specified in the document.

## 2- In Preliminary Sales Contract Transaction:

If the values declared in the preliminary sales contract meet the value required under the Regulation, the registration request document will contain the following statement:

(Amended by court approval of Docket No. 69083781-010.06.02-861963 of 22.03.2021) " Under Article 20 of the Regulation on the Implementation of the Turkish Citizenship Law, I undertake that I will not transfer or withdraw the contract for my acquisition of the property for the purpose of acquiring Turkish citizenship for a period of three years. I am aware that in the event of any of the information and documents to be submitted for this purpose being found to be incomplete, incorrect or misleading, procedures will be carried out pursuant to article 31 of the Turkish Citizenship Law no. 5901, which states that "the decision of acquisition of Turkish citizenship shall be cancelled by the decision making authority if the concerned person acquired citizenship by a false declaration or by concealing important matters that constitute the basis for acquiring citizenship."

Additionally, the following statement will be added to the register of the property: " Within the scope of Article 20 of the Regulation on the Implementation of Turkish Citizenship Law, there is a commitment that the preliminary sales contract will not be transferred or withdrawn within three years from the date of annotation."

### 3- In Complementary Transactions:

It is possible to complement the value required under the Regulation in addition to the immovable/immovables acquired through sale after 12.01.2017, or for which a preliminary sales contract was made after 07.12.2018.

In the event that the sum of the values in the valuation report, bank receipt and bill of sale and/or preliminary sales contract price meet the value required under the Regulation following the final complementary transaction, commitment will be obtained through the registration request document for all properties assessed together (using, where necessary, out-of-jurisdiction title transactions) and will be specified in the document.

### 4- In the Conversion of the Preliminary Sales Contract into Sales Transaction:

In the event that the preliminary sales contract is converted into a sales transaction within the three-year commitment period, the following statement will be added to the bill of sale:

*"Under Article 20 of the Regulation on the Implementation of the Turkish Citizenship Law, I undertake not to sell the property that I have purchased for the purpose of acquiring Turkish citizenship for a period of ... (time left until the expiration of the three-year period) years."*

Additionally, the following statement will be added to the register of the property: *"Within the scope of Article 20 of the Regulation on the Implementation of Turkish Citizenship Law, there is a commitment to not be sold within ... (time left until the expiration of the three-year period) from the date of acquisition."*

Additionally, the following statement added to the register of the property will be cancelled: *"Within the scope of Article 20 of the Regulation on the Implementation of Turkish Citizenship Law, there is a commitment that the preliminary sales contract will not be transferred or withdrawn within three years from the date of annotation."*

No commitment will be obtained if the property is sold after the expiration of the three-year period.

## J) CANCELLATION OF COMMITMENT

In cases where a commitment is obtained, but a Certificate of Conformity has not been issued due to failure to meet the requirements, the commitment will be cancelled if requested by the authority that will issue the Certificate of Conformity.

In the event that the owner or the beneficiary of the preliminary sales contract requests cancellation before the expiration of the three-year period following the issuance of the Certificate of Conformity, the foreign national's request will be referred to the Provincial Directorate of Civil Registration and Citizenship Affairs. If the process of acquisition of citizenship has been initiated, the request for cancellation will not be fulfilled.

The commitment recorded into the statements field under the Regulation will be cancelled upon request by the owner or the beneficiary of the preliminary sales contract following the expiration of the three-year period.

## K) TRANSACTIONS ON REGISTERED PROPERTY

Any annotation and establishment of restricted rights in rem is possible in relation to registered property. However, the results of the transaction (forced sale, succession, expropriation, etc.) that change the ownership of the property without the owner's request during the commitment period will be communicated to the General Directorate.

## L) ARCHIVING AND COMMUNICATION OF RESULTS OF THE TRANSACTION:

Following the transaction, the bill of sale, the preliminary sales contract, the registration request document and the foreign national's identity card/passport are archived in accordance with Circular no. 2017/3.

The valuation report and the approved receipt by the bank will be scanned and stored electronically in accordance with Circular no. 2017/3 and will not be physically archived. The address, phone number and e-mail address in particular are requested to be provided legibly in the application document.

(Transfer/payment receipts relating to the sales transaction or the preliminary sales contract will be sent, whereas the title deed fee and revolving fund payment receipts and exchange rate printouts will not be sent.)

Transaction documents will be sent to the department that will issue the "Certificate of Conformity" via the EBYS (attention should be paid to automatic internal distribution).

**\*The following text is the translation of Circular no. 2019/5(1799) dated 30.05.2019, which has been published in Turkish by the General Directorate of Land Registry and Cadastre, and is for informational purposes only. In case of any differences arising between the two texts as a result of translation, the Turkish version shall be applicable in legal terms.**