



GOA REAL ESTATE REGULATORY AUTHORITY

101, 1st Floor, 'SPACES' Building, Plot No. 40, EDC Patto Plaza, Panaji 403 001 Goa
www.rera.goa.gov.in

Tel: 0832-2437655; e-mail: goa-rera@gov.in

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CIRCULAR

Sub:- Adherence to Model Format of Agreement For Sale (AFS).

The Goa Real Estate Regulatory Authority (Goa RERA) has come across several instances of complaints filed before the Authority where some promoters/builders are violating certain provisions of Model Form of Agreement to be entered into between promoters and allottee(s) under Rule 10(1) of Goa Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate agents, Rates of Interest and Disclosures on Website) Rules, 2017 under Sub Section (2) of Section 13 Agreement for sale (AFS) of the Real Estate (Regulation and Development) Act, 2016.

2. Recently the Ministry of Housing And Urban Affairs, New Delhi, vide its letter No. O-17024/1059/2017-HOUSING SECTION- MHUPA- Part(10)/EFS-9160777, dated 01/08/2023 has also brought to the notice of all the Real Estate Regulatory Authorities regarding instances where some builders are incorporating restrictive clauses in the Agreement for Sale (AFS) and thereby deviating from model AFS Rules as notified by the Ministry.

3. It may be noted by all promoters/builders the Rule 10(1) and (2) under Agreement for sale along with explanatory note to the Model Form of Agreement notified by Goa RERA gives some leeway to modify and adopt in each case by the promoters/builders having regard to the facts and circumstances of respective cases. However any violations of those clauses which are in accordance with statute and mandatory according to the provisions of the Act shall be retained in each and every agreement executed between the promoter and allottee. Any change in the agreement found contrary to or inconsistent with any provisions of the Act, Rules and Regulations would be void ab initio.
4. In the light of above , all the existing promoters who registered their projects with Goa RERA as well as prospective promoters of real estate projects are hereby directed to adhere to the Model Format of Agreement for Sale to be entered between promoters and allottee(s).
5. This is issued with the approval of the Authority.


(Sampurna Bhagat)
Dy.T.P(RERA)

Copy to:

- 1) The President, CREDAI -GOA, 315, Gera Imperium -II, Patto Plaza, Panaji, Goa 403001
- 2) Goa Realtors Association, Delta 203, 2nd Floor, Devashree Pinto-Ville, Opp. Devashri Green, Socorro, Porvorim, Goa-403501
- 3) The President, WIRC Goa Institute of Chartered Accountants of India, 201/2, 2nd Floor, Kamat Towers, Patto Plaza, Patto Centre, Panaji, Goa, 403001

4) The Chairman, The Indian Institute of Architects (IIA-Goa Chapter), Trupti, Patrakar Nagar, Porvorim, Bardez, Goa, 403 521 with a request to kindly inform all members.

5) Technical Setion (Goa RERA).