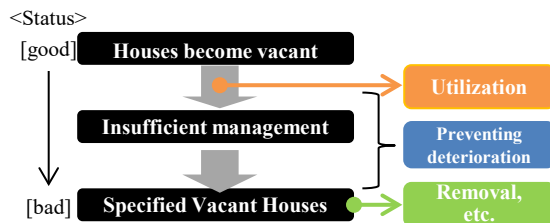


● Act to Partially Amend the Act on Special Measures Concerning the Promotion of Countermeasures for Vacant Houses

Promulgated on June 14, 2023
Effective on December 13, 2023

Background and necessity

- The number of vacant houses with no purpose of use has increased 1.9 times in the last 20 years and is expected to continue to increase.
(1998) 1.82 million units → (2018) 3.49 million units → (2030 forecast) 4.7 million units
- In addition to further promoting removal, etc., it is necessary to comprehensively strengthen effective use and appropriate management before negative impact occurs in the surrounding areas.



Outline of the Act

○ Strengthening owner responsibilities

-(In addition to the existing "duty to make efforts to manage appropriately") **an obligation to make efforts to cooperate with national government and local government policies**

1. Expanding Utilization

① Vacant house, etc. utilization promotion area (Example) central business districts, regional revitalization hubs, tourism promotion areas, etc.

- Municipalities establish **districts** and utilization **guidelines, etc.** to promote **changes in land use and reconstruction, etc.**
- Rationalizing **road width regulations for frontage roads relating to connecting roads**, based on prerequisite of safety assurance, etc.
- Rationalizing **use restrictions, etc.** to fit the guidelines in the event of a change of use
- Mayors of municipalities **request** owners to have their **utilization** fit the guidelines.

② Disposal of ownerless vacant houses by property administrators (For details, see 3.③ below)

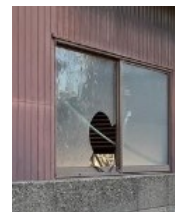
③ Corporate support system

- Mayors of municipalities designate NPOs, incorporated associations, etc. as **vacant house, etc. management and utilization support corporations**
- Spreading awareness** for owners, etc., receiving information from municipalities* and **handling consultations** with owners
- * Prior consent of owners
- Proposing the use of the asset management system to mayors of municipalities

2. Ensuring management

① Management beforehand to prevent specified vacant houses* from becoming vacant

- * Vacant houses that have a significant negative impact on the surrounding area
- For vacant houses at risk of becoming specified vacant houses if left unattended (**insufficiently managed vacant houses**), the mayor of municipality is to provide **guidance and recommendations** for measures in accordance with management guidelines.
- For vacant houses that have received a recommendation for insufficient management, the **special exemption for residential land tax (reduced to 1/6, etc.)** will be **cancelled**.



An insufficiently managed vacant house with broken windows

② Facilitating identification of owners

- Municipalities request provision of information from power companies, etc.

3. Removal, etc. of specified vacant houses

① Understanding the situation

- Mayors of municipalities have the **right to collect reports** (facilitating recommendations, etc.)

② Facilitating substitute enforcement

- Establish a system of **emergency substitute enforcement** when there is no time to go through prior procedures such as issuing an order, etc.
- Costs** for substitute enforcement when the owner is unknown and for emergency substitute enforcement may be **collected** without a final judgment.



A collapsing roof requiring emergency substitute enforcement

③ Management and disposal of vacant houses by property managers* (**insufficiently managed vacant houses, specified vacant houses, etc.**)

- Requests for appointment** of property managers to mayors of municipalities are granted to deal with vacant houses, etc. that have been abandoned through renunciation of inheritance.

*Manage and dispose of property on behalf of the owner. (Note) Under the Civil Code, only concerned parties may make such a request.

[Objectives and Effects]

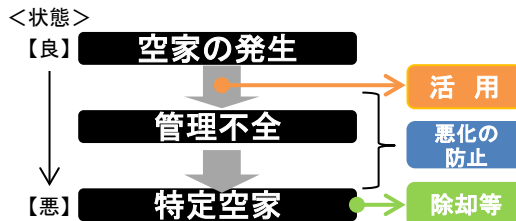
- ① Designated number of vacant houses, etc. utilization promotion areas: 100 areas within five years of implementation
- ② Designated number of vacant houses, etc. management and utilization support corporations: 120 corporations in the five years since the law was enacted
- ③ The number of vacant houses that are not being sufficiently managed and those that have been managed or removed, etc. through municipal requirement to cooperate with national and local government policies: 150,000 properties in the five years since the law came into effect

●空家等対策の推進に関する特別措置法の一部を改正する法律

令和5年6月14日公布
令和5年12月13日施行

背景・必要性

- 使用目的のない空家は、この20年で1.9倍、今後も増加。
(1998年)182万戸→(2018年)349万戸→(2030年見込み)470万戸
- 除却等のさらなる促進に加え、周囲に悪影響を及ぼす前の有効活用や適切な管理を総合的に強化する必要。



法律の概要

○所有者の責務強化

- ・(これまでの「適切な管理の努力義務」に加え、)国、自治体の**施策に協力する努力義務**

1. 活用拡大

①空家等活用促進区域

(例) 中心市街地、地域の再生拠点、観光振興を図る区域等

- ・ 市区町村が**区域**や活用**指針**等を定め、**用途変更**や**建替え**等を促進
⇒安全確保等を前提に**接道に係る前面道路の幅員規制**を合理化
⇒指針に合った用途に用途変更等する場合の**用途規制等**を合理化
- ・ 市区町村長から**所有者に対し**、指針に合った**活用を要請**

②財産管理人による所有者不在の空家の処分(詳細は3. ③後掲)

③支援法人制度

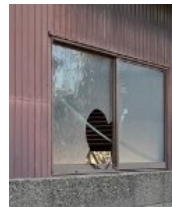
- ・ 市区町村長がNPO法人、社団法人等を**空家等管理活用支援法人に指定**
- ・ 所有者等への**普及啓発**、市区町村※から情報提供を受け所有者との**相談対応**
※事前に所有者同意
- ・ 市区町村長に財産管理制度の利用を提案

2. 管理の確保

①特定空家※化を未然に防止する管理

※周囲に著しい悪影響を及ぼす空家

- ・ 放置すれば特定空家になるおそれのある空家(**管理不全空家**)に対し、管理指針に即した措置を、市区町村長から**指導・勧告**
- ・ 勧告を受けた管理不全空家は、固定資産税の**住宅用地特例(1/6等に減額)**を**解除**



窓が割れた
管理不全空家

②所有者把握の円滑化

- ・ 市区町村から電力会社等に情報提供を要請

3. 特定空家の除却等

①状態の把握

- ・ 市区町村長に**報告徴収権**(勧告等を円滑化)

②代執行の円滑化

- ・ 命令等の事前手続を経るいとまがない**緊急時の代執行制度**を創設
- ・ 所有者不明時の代執行、緊急代執行の**費用**は、確定判決なしで**徴収**

③財産管理人※による空家の管理・処分(管理不全空家、特定空家等)

- ・ 市区町村長に**選任請求**を認め、相続放棄された空家等に対応
※所有者に代わり財産を管理・処分。(注)民法上は利害関係人のみ請求可



緊急代執行を要する
崩落しかけた屋根

【目標・効果】

- ①空家等活用促進区域の指定数: 施行後5年間で100区域
- ②空家等管理活用支援法人の指定数: 施行後5年間で120法人
- ③市区町村の取組により管理や除却等された管理不全空家及び特定空家数: 施行後5年間で15万物件