

## SYSTEMATIC REGISTRATION OF REAL ESTATE IN MUREȘ COUNTY

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**ABSTRACT:** *The systematic cadastral work in Romania involves the identification and measurement of buildings and their owners, their registration in the technical cadastral documents and their representation on cadastral plans, in order to be entered in the land register. These works are carried out within the National Program, a program whose purpose is the free registration of buildings in the integrated cadastre and land book system, the realization of the cadastral plan of buildings and the opening of land books at the level of all UATs. The paper presents the situation of the systematic registration of properties in Mureș county.*

**Keywords:** *owner; real estate; cadastre; land register;*

### 1. Introduction

The systematic cadastre is carried out by measuring the buildings that are located inside a cadastral sector or an administrative-territorial unit (UAT), by identifying the owners of buildings in the respective area and opening the land records for these buildings. The measurement works, necessary for the creation of the cadastral plan by which the boundaries of the buildings are determined, in accordance with the reality on the ground, regardless of the legal situation of the building or the quality of the owner, are performed by any graphic, numerical, photogrammetric or combined method.

These measurements result in the cadastral documentation that determines the area of land and buildings. The cadastre is carried out by identifying, measuring, describing and registering real estate in the cadastral documents and representing them on cadastral maps and plans.

The cadastral technical documents are:

1. The cadastral plan;
2. Alphabetical list of owners;
3. The cadastral register of owners.

### 2. The stages of achieving the systematic cadastre

The National Cadastre and Land Registry Program (PNCCF) aims to register all properties in Romania for free in the integrated cadastre and land registry system, create the cadastral plan, publicly display the results of the work, correct errors if necessary and open the land registers at the level of cadastral sectors or the entire administrative-territorial unit. PNCCF was approved by Decision no. 294/2015 regarding the approval of the National Cadastre and Land Registry Program.

Free registration is also done for real estate or land for which title deeds have not yet been issued.

The implementation of the activities of the National Program is ensured according to a multi-annual action plan, within the limits of the approved funds, according to the law. Through the PNCCF, the authorities propose that all land and buildings in our country be registered free of charge.

The benefits of implementing the National Cadastre and Land Registry Program:

- making a complete inventory of real estate properties;

- safety of the civil circuit of real estate properties;
- clarifying the legal regime of public and private real estate;
- finalizing the registration of agricultural land, to ensure the implementation of payment schemes in agriculture;
- free opening of land records for all properties in Romania.

The procedure for carrying out systematic registration works is established by the Order of the general director of the National Agency for Cadastre and Real Estate Advertising (ANCPI).

The main stages of carrying out the systematic cadastre are:

- notifying the owners through the public information campaign;
- identification of administrative boundaries;
- establishment of cadastral sectors;
- identifying the locations of buildings and their limits, carrying out cadastral measurements;
- identification of the holders of real rights, possessors and other holders, as well as taking over the original documents or their legalized copies;
- updating the information collected from the field;
- publication and display, in accordance with the law, of technical cadastral documents;
- registration and settlement of rectification requests;
- opening of new land records;
- closing the systematic cadastre works and old records, according to the law.

### 3. The situation of the systematic cadastre carried out in Mureș county

At the level of Mureș County, there are 102 administrative-territorial units. It has an area of 670,745 ha, which represents 2.8% of the total area of the country. It consists of 4 municipalities, 7 cities and 91 communes. As part of the systematic cadastre activities, the technical documents drawn up are: the cadastral plan, the cadastral register of buildings and the alphabetical list of the holders of real property rights, owners and other holders. Depending on the difficulty categories of the land, depending on the relief, the amount of financing or co-financing of the systematic registration works was assigned in Table 1.

In 2013, the first administrative-territorial unit in the country where the general cadastre was carried out and all the lands were registered in the land register - was UAT Saschiz, with an area of 9,817 ha, through the implementation of the "Caesar" project financed by the World Bank, with benefits for both the owners and the local administration. As a result of this project, a number of 7,816 land titles resulted.

Through the PNCCF in 2018, in the UAT Cucerdea, systematic registration works began at the level of the entire municipality, with a number of 19 cadastral sectors with an area of 3,599 ha, resulting in a number of 9,815 buildings registered in the land register, the works being completed in 2021. The documents issued to citizens upon completion of the works

Table 1

Category	UAT	Property located outside the city	Property located within the city
I (region of transition from plateau to hill)	Town	135.24 lei/property + VAT	364.56 lei/property + VAT
	commune		305.76 lei/property + VAT
III (hill region)	Town	158.76 lei/property + VAT	364.56 lei/property + VAT
	commune		305.76 lei/property + VAT
IV (hill-to-mountain transition region, mountain region)	Town	199.92 lei/property + VAT	364.56 lei/property + VAT
	commune		305.76 lei/property + VAT

Source: <https://ms.ancpi.ro/pnccf2/>

are the land register extract and the cadastral plan extract.

53 UATs completed 403 cadastral sectors as a result of systematic registration through PNCCF, resulting in 30,743 real estates. 11 UATs have concluded contracts at the level of the entire UAT. One UAT is in tender within the A.N.C.P.I. 7 UATs have not started anything in terms of systematic registration (Table 2, 3).

Based on the provisions of the Regulation regarding the implementation, verification and reception of systematic cadastral works and the ex officio registration of buildings in the land

register, approved by the Order of the General Director of A.N.C.P.I. no. 1/2020, a protocol is drawn up by which the Office of Cadastre and Real Estate Publicity (OCPI) hands over the following documents in digital format to the UAT in which the systematic registration works have been completed:

- Information land book extracts accompanied by cadastral plan extracts;
- The cadastral plans for the completed sectors: georeferenced .pdf, .dxf, .tiff format;
- Real estate cadastral registers for completed cadastral sectors: .pdf format;

Table 2

Mures County	The total area of the administrative-territorial unit.	Cadastral sectors with ongoing systematic registration works	Estimated area of cadastral sectors with ongoing systematic registration works (ha)	The estimated number of buildings for the cadastral sectors under construction	The sectors cadastres with completed systematic registration works	The area of the cadastral sectors where the systematic registration works have been completed (ha))	The number of resulting buildings for the completed cadastral sectors
<b>TOTAL</b>	670.745	1.460	100.211	135.811	422	40.560	61.695

Source: <https://ms.ancpi.ro/pnccf2/>

Table 3

The situation of buildings at the level of Mures county	
Year	Real estate from the systematic cadastre registered in the land register
2013	7.816
2015	0
2016	602
2017	0
2018	5.510
2019	7.938
2020	9.306
2021	22.947
2022	4.820
2023	2.756

Source: <https://ms.ancpi.ro/pnccf2/>

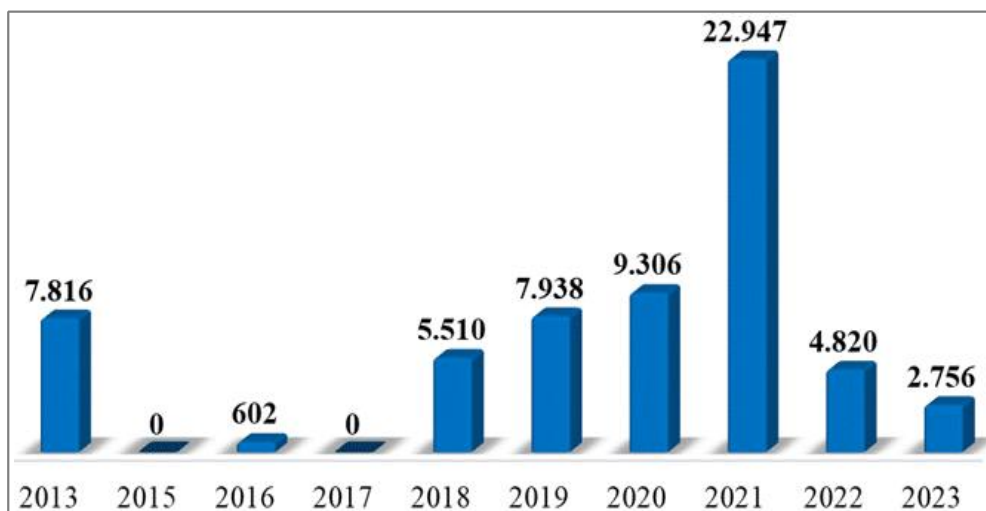


Fig. 1 The evolution of real estate (the number) registered in the land register

- Alphabetical lists of owners for the completed cadastral sectors: format.xls and .pdf.

According to Order 1/2020 approving the Regulation on the implementation, verification and reception of systematic cadastral works and the ex officio registration of real estate in the land register, OCPI at the local level, for a good performance of systematic registration operations, coordinates and collaborates with the administrative unit-territorial.

#### **4. Problems encountered during the course of the systematic registration program and proposals on how to solve them**

Problems encountered in the process of running/verifying systematic registration activities are:

- the manner of conducting the public information campaign;
- lack of information on properties and owners at the level of town halls;
- documents relating to the legal situation

regarding the notation of possession;

- non-integration into the cadastral plan of previously received buildings;
- gaps and/or overlaps in the cadastral plan, following the topology check (fig. 2);
- wrongly drawn up possession records, in some cases their absence.

The problems encountered regarding the technical specifications were sent to the authorized individuals/legal entities with recovery notes in order to solve them. If after handing over the preliminary report by redo if it is found by the reception committee that they are not in accordance with the technical specifications, the delivery is rejected and considered not handed over. The verification is carried out both quantitatively and qualitatively. In order to solve the problems, to carry out the activities in a relatively shorter time, there are the following proposals:

- organization of meetings with citizens;
- the active involvement of the town halls in the stages of convening the owners to the land for cadastral measurements;



Fig. 2. Gaps and overlaps in the cadastral plan, when checking the topology

## 5. Conclusions

ANCPI's multi-year funding of systematic recording works, as well as contracting and continuous monitoring of the works carried out at the level of the entire UAT, has contributed to supporting agriculture, infrastructure and the economy in general.

Following the legislative measures regarding the systematic registration process, the number

of properties registered free of charge for citizens and institutions in the integrated cadastre and land register system, however, did not increase significantly.

However, there are UATs where the town halls have not started any kind of approach to start the systematic cadastre and to offer help to the citizens, works that should be mandatory and not optional according to the law.

## References

1. Law of cadastre and real estate advertising no. 7/1996;
2. Order no. 1/2020 for the approval of the Regulation on the implementation, verification and reception of systematic cadastral works and the ex officio registration of buildings in the land register;
3. Order no. 600/2023, for the approval of the Regulation of reception and registration in the cadastre and land register records;
4. Law no. 1/2000 for the reconstitution of the right of ownership over agricultural and forest lands, requested according to the provisions of the Land Fund Law no. 18/1991 and Law no. 169/1997;
5. Land fund law no. 18/1991;

6. Law no. 247/2005 on the reform in the fields of property and justice, as well as some adjacent measures.