

Registering in apartments

FAO heads and employees of legal and finance departments in property development companies, as well as anyone who has purchased or is planning to purchase apartments that do not form part of the hotel accommodation stock

Pepeliaev Group advises that the Russian Constitutional Court has adopted Resolution No. 4-P dated 3 February 2026, allowing individuals to register temporarily in apartments that are similar to flats and are not included in the room stock of hotels or other accommodation facilities.

The issue

Owners of apartments (non-residential premises) were previously unable to register at their place of stay in such premises. This was because the applicable rules allowed registration only in residential premises (based on applications submitted by individuals themselves) or in hotels (through the organisation managing the property, usually a hotel operator).

Pepeliaev's Group comment

The Constitutional Court held that it being impossible to register in apartments violates individuals' rights to choose their place of stay freely and to use their property.

The Court examined the provisions of the Law No. 5242-1 of the Russian Federation dated 25 June 1993 'On the Right of Citizens of the Russian Federation to Freedom of Movement and to Choose their Place of Stay and Residence within the Russian Federation' (article 2(7)), as well as the Rules for Citizens of the Russian Federation to Register and Deregister at their Place of Stay and Place of Residence within the Russian Federation (clauses 12 and 14).

The Constitutional Court's main conclusions:

1. The relevant provisions were declared unconstitutional insofar as they prohibit registration at the place of stay in apartments similar to flats.

2. The legislature and the Russian Government were obliged to create an appropriate mechanism.

3. Transitional rules have been introduced: registration at the place of stay is permitted in non-residential premises that have similar characteristics to flats in a block of flats and are not included in the accommodation stock, provided that documents are submitted confirming that the relevant building was constructed for the purpose of accommodating individuals, as well as that the specific non-residential premises are suitable for such use and are similar in their characteristics to a flat in a block of flats. Registration will be carried out under the general procedure by bodies within the Ministry of Internal Affairs.

Limitations on how to apply the Constitutional Court's position:

- only temporary registration (at a place of stay) is permitted; permanent registration (at a place of residence) in apartments remains impossible;
- the owners of apartments and their family members may be registered, subject to confirmation of family relationships or being closely related;
- the ruling does not equate apartments with residential premises for the purposes of taxation, utility tariffs or urban planning regulation;
- registration in apartments does not give rise to an obligation for the state to provide the area with full-scale social infrastructure (as for residential zones);
- the legislature is entitled to clarify the regulation by introducing additional requirements for apartments and specific features of the procedure for registering.

Pepeliaev's Group comment

The ruling is particularly important for developers, as it legitimises the use of apartments not included in the hotel stock for actually being lived in and removes one of the key legal barriers for buyers. The period of temporary registration may range from several days to several years and may be extended repeatedly.

What to think about and what to do

There is a risk that additional requirements may be introduced in respect of the minimum floor area, layouts and engineering systems for registration purposes. This may increase developers' costs.

It is important to take the Constitutional Court's ruling into account when designing apartments, as the emphasis is placed on characteristics that are "similar to a flat" (being self-contained, the layout, a small kitchen, and a

bathroom), which will be verified for registration purposes. For each project, a package of documents (a project declaration, and a layout of the features) should be prepared and provided to buyers to confirm that the building and the specific premises are suitable for accommodating individuals, as these documents will be required for registration.

Exercising caution is advisable in advertising: promises of permanent registration must not be made.

Help from your adviser

Pepeliaev Group has extensive experience in providing legal support to businesses when they implement construction projects. Our specialists are ready to provide developers with the legal assistance they need.

Contact details



Sergey Sosnovsky
Partner

s.sosnovsky@pgplaw.ru



Ksenia Kulikova
Senior Associate