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New National Housing Plan: Key Developments under Decree-Law No. 66 of 7 May 2026

*On 8 May 2026, Decree-Law No. 66 of 7 May 2026 (the “Decree”) entered into force, introducing urgent measures for the implementation of the new **National Housing Plan**. The Decree is aimed at increasing the supply of affordable residential accommodation through the renovation, regeneration, replacement and enhancement of public and private real estate assets, with particular emphasis on public, social and subsidised housing. To achieve these objectives, the Decree establishes a framework for extraordinary intervention, underpinned by expedited authorisation procedures, special commissioner powers and public-private partnership instruments.*

1. Renovation of Public and Social Housing Stock

The first pillar of the Decree concerns an extraordinary **national programme for the renovation and maintenance of public and social residential housing stock**, with the aim of returning to allocable condition approximately 60,000 units currently unavailable due to inadequate maintenance or substandard building systems.

The programme is funded through public resources of **€970 million** over the period 2026–2030 and is focused on the refurbishment of existing stock, consistent with the policy objective of limiting land consumption and maximising the value of unused or underperforming public real estate assets.

2. Special Commissioner Powers and Survey of Public Real Estate

A central feature of the Decree is the appointment of a **Special Commissioner**, vested with policy direction and coordination functions, and mandated to carry out a comprehensive survey of properties held by the State, the Regions, local authorities, public bodies and unlisted companies with public shareholdings, with a view to their allocation to social housing projects.

The Commissioner is empowered to act by means of immediately effective orders, including by way of derogation from ordinary legislation, subject to compliance with provisions of criminal, anti-mafia, landscape and cultural protection law, as well as any constraints arising from European Union law.

3. Procedural Streamlining and Expedited Inter-Agency Conference

At the administrative level, the Decree introduces a significant acceleration of permitting and authorisation procedures.

For the approval of the instruments required to implement individual projects, the project promoter is required to convene a **simplified inter-agency conference** pursuant to Article 14-*bis* of Law No. 241/1990, to be concluded within:

- (i) **30 days** of convening; or
- (ii) **40 days** where authorities responsible for the protection of sensitive interests are involved.

The Decree further introduces a deemed **approval mechanism** in respect of any authority that fails to respond within the prescribed time limits. This provision is of particular significance for complex development projects, which are frequently subject to protracted authorisation timescales and the involvement of multiple

regulatory bodies.

4. Change of Use and Thirty-Year Encumbrance

The Decree refers to the provisions of Article 23-ter of Presidential Decree No. 380/2001 (the Consolidated Building Act) in relation to changes of permitted use of individual property units. Such interventions are, however, subject to a **mandatory thirty-year encumbrance on permitted use**, designed to preserve the social function of the renovated or converted assets over time.

This provision is of material significance for real estate operators, as it directly affects the planning, contractual and financial structuring of development projects, requiring an upfront assessment of economic viability on a medium- to long-term basis.

5. Social Housing: Long-Term Tenancy with Option to Purchase

The Decree promotes models of **social housing based on long-term tenancies** with an option to purchase, including through demolition and reconstruction schemes involving no net increase in land consumption, as well as the acquisition and conversion of buildings comprising at least 25 residential units.

The properties in question must comply with high **standards of environmental sustainability, energy efficiency and technological innovation**. The measure accordingly sits at the intersection of housing policy, urban regeneration and the energy transition of the built environment.

6. Integrated Housing Programmes and Private Capital Mobilisation

The third pillar of the Housing Plan concerns integrated **housing infrastructure programmes** targeting persons excluded from both public housing provision and the open market. Such programmes are to be predominantly financed through private investment, with the potential co-participation of available public resources.

At least **70% of the aggregate investment** must be allocated to subsidised housing. Below-market prices and regulated rents are to be determined by way of a convention with the relevant municipality and must be set at a level ensuring a reduction of no less than one-third relative to prevailing market values in the same area.

A **minimum thirty-year encumbrance on subsidised residential use** is likewise applicable in this context.

7. Major Investments and Planning Derogations

For large-scale investment programmes — including those incorporating a foreign direct investment component of not less than **€1 billion** — the Decree permits recourse to the streamlined procedure already established under Article 13 of Decree-Law No. 104/2023.

Of particular significance is the power conferred on the Special Commissioner to act in **derogation from general and implementing town planning instruments**, or in the absence of an approved planning framework, provided that the areas concerned were not previously designated for non-construction use.

This provision may have far-reaching implications for the relationship between municipal planning frameworks, extraordinary state powers and private development initiatives, particularly in the context of large-scale urban regeneration projects.

8. Public Assets, INPS and Social Security Institutions

The Decree also addresses the enhancement of public and quasi-public real estate portfolios, providing for the potential involvement of INPS and private social security institutions in integrated housing programmes,

including by way of contribution of real estate assets in kind.

This measure creates scope for complex enhancement, conversion and income-generating transactions in respect of real estate portfolios that are currently underutilised, within a framework aimed at aligning social objectives, economic sustainability and urban regeneration goals.

9. Preliminary Observations

The new Housing Plan constitutes a wide-ranging legislative intervention, combining public funding, private capital, extraordinary commissioner powers and administrative streamlining.

For real estate operators, institutional investors and public bodies, the Decree presents new opportunities; however, it also requires careful due diligence in relation to a number of critical areas:

- planning compliance and the potential exercise of derogation powers;
- the regulatory framework governing changes of permitted use;
- the structuring of conventions with local authorities;
- the economic and financial sustainability of thirty-year use restrictions;
- the coordination of building permit procedures, inter-agency conferences and environmental, landscape and cultural heritage protection requirements;
- the impact of forthcoming implementing decrees, expected to be issued within 60 to 90 days.

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