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Reichard & Escalera Update

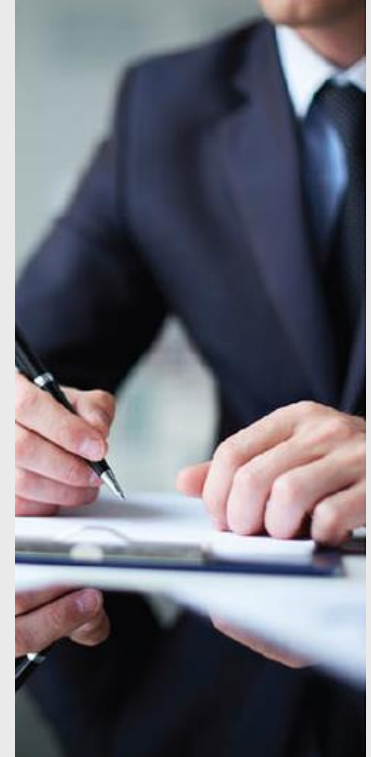
Permit Regulations Update

On June 16, 2023, the Supreme Court of Puerto Rico (“Supreme Court”) issued a *Per Curiam* Opinion in case Martínez Fernández et al. v. Oficina de Gerencia de Permisos et al., 2023 TSPR 75 declaring null the Joint Regulation for the Evaluation and Issuance of Permits Related to the Development, Land Use and Business Operations, Regulation No. 9233 of December 2, 2020 (“2020 Joint Regulation”) and the Joint Regulation for the Evaluation and Issuance of Permits Related to the Development, Land Use and Business Operations, Regulation No. 9081 of May 8, 2019 (“2019 Joint Regulation”). The Supreme Court ruling has prospective implications for new permit applications but does not affect permits issued or currently being evaluated under the 2020 Joint Regulation or the 2019 Joint Regulation. The Supreme Court also stated that until the Planning Board adopts a new regulation, all new permit applications would be evaluated pursuant to Joint Regulation of Permits for Construction Works and Land Use, Regulation No. 7951 of November 30, 2010 (“2010 Joint Regulation”).

Notwithstanding, following the Supreme Court’s Opinion, the Planning Board approved an Emergency Regulation, Regulation No. 9473 of June 16, 2023 (“Emergency Regulation”) with immediate effect. Based on the foregoing, all new permit applications will be subject to, and reviewed by the concerning agencies pursuant to, the Emergency Regulation.

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