

LEASE OF AN APARTMENT – COMPARISON BETWEEN CZECH AND ENGLISH LEGAL REGULATIONS

ABSTRACT

The aim of this thesis is to thematically focus on the current legal regulations governing the area of a lease of an apartment. This thesis, *inter alia*, compares to what extent the legal regulations on lease of apartments in the Czech Republic differ from the English legal regulations and develops a discussion on which of those English legal regulations could the Czech lawmaker get inspired by. The thesis analyses the question of how the legal systems respect the principle of contractual freedom and, at the same time, protect the interests of the tenant, the endeavor to protect the tenant being characteristic for this area of law.

The thesis is divided into nine main chapters. The introduction describes the area of lease in general. Within this topic, the basic differences between the Czech and English legal systems are outlined and the distinction between the terms of the lease under both legal regulations are explained. The second chapter focuses on a lease agreement. This chapter includes an analysis of the contracting parties of a lease agreement. The following chapters deal with the rights and obligations of the landlord and the tenant, the sublease, rent and termination of a lease. The chapter dealing with the termination of a lease includes considerations regarding the difficulty with eviction of tenants in the Czech Republic and draws attention to the development of case law in this area. The last chapter is devoted to the political-economic factors, which may signal changes in the legal regulations governing leasing of apartments in both legal systems. These factors, which may have a significant impact on the development of legislation in this area, include, for example, the ever-increasing rents or the withdrawal of the Great Britain from the European Union.

The thesis is structured so, that each area is firstly analysed from the perspective of Czech law and the analysis of the English law follows, whereby the second part of the chapter always points out the main differences between the legal systems in that specific area. The conclusion of the thesis summarises the main findings and recommendations that could work as an inspiration for the Czech lawmaker. The thesis

also proposes some practical solutions for better tenant protections, such as a government-controlled tenancy deposit scheme, similar to the one introduced in England.