

Form and requisites of termination of the residential lease

Abstract

The thesis targets the form and requisites of notice of termination of a residential lease in the light of the requirements arising from both the general regulation of legal acts and the general regulation of the lease to the specifics of the special regulation of the residential lease.

The thesis is divided into eight chapters, the first of which deals with the notice in the light of general regulation of the lease (the author chose to devote this a separate chapter since he believes that this will achieve greater clarity). It describes both the legal regulation exclusive to renting in general, as well as legal regulation common to a residential lease.

The second chapter deals with the form of termination, ie the requirement of a written form. This chapter separately describes both elements of the written form - written document and signature. Concerning the scope of this issue, a separate third chapter was devoted to the service of the notice, which seeks to present all conceivable situations that may arise during the service of the notice. Due to the scope of the issue (as well as due to the specific nature of the problem), the fourth chapter devoted to electronic notice was set aside as a separate one. The author considers this chapter to be especially important, as recent events have pushed us more and more to use electronic means.

The fifth chapter then describes the requisites of the notice, while both the specifics on the part of the lessee and the specifics on the part of the lessor have earned their own chapter.

The last eighth chapter is devoted to judicial review as a closely related issue. This chapter discusses the nature of a defensive action as well as its specifics.

As for the sources used, the work aims to give space, in addition to legislation and literature, especially case law. In addition to a simple description of the legal regulation and the corresponding literature and case law, this work also has the ambition to focus on possible pitfalls and outline controversial issues of the form of notice and its requisites. This goes especially the chapter dealing with the service of the notice and the chapter on electronic notice.

Key-words

lease, apartment, notice of termination