

THE STATUTE OF THE COMMUNITY OF FLAT OWNERS

The thesis is concerned with the community of flat owners, especially its statute.

The thesis is composed of four chapters. The first chapter of the thesis presents a brief introduction to community of flat owners as a legal person. The chapter is subdivided into ten parts, which deal with Act on Ownership of Apartments (Act No. 72/1994 Coll., which regulates some ownership relations to the buildings and some ownership relations to the apartments and to the non-residential areas) and his development due to legislative changes, creation and end of community of flat owners, object of its activity, community bodies, membership in community and register of community of flat owners.

Chapter Two focuses on Statute of the community. The chapter consists of four parts. Part Two describes obligatory terms of statutory according to Czech Housing law. Here belongs registered office and name, community bodies (included general meeting of flat owners and statutory body), rights and duties of flat owners, process of pay costs for services provided for the residence and for the maintenance and repair of public portions of the building and process of disposal with possession of community. Part Three concerns facultative terms of statutory. And part Four examines problems with absence of some obligatory terms in statutory.

The third chapter focuses on Government Regulation 371/2004 Coll., laying down standard rules of community of flat owners, as amended by Government Regulation 151/2006 Coll. This laying down standard rules serves as inspiration and model for creation own statute of community. Chapter Three is subdivided into three parts. The first part contains general characteristic of laying down standard rules. And second part deals with applications of this standard rules. Last part of this chapter examines particulars regulations of standard rules.

And last chapter is divided in two parts. First part concentrates on the new draft bill of an Act on Ownership of Apartments and its legislative process. And second part describes new legislative changes relating to community of flat owners.

Conclusion contains general summary of this thesis and some proposals de lege ferenda.