

## **Abstract**

Presented diploma thesis discusses private law treatment of transfer and property ownership. The thesis is divided into several chapters corresponding to the legal issues of property ownership and transfer with a special focus on apartments and commercial space. Legal standards related to real estate are very numerous and extensive. Therefore I chose only legal aspects that are relevant to the theme of the thesis.

In the introduction I characterize the most important legal concepts of real estate law, using the case law of The Supreme Court in the Czech Republic such as ownership rights, real estate, land, building, residential and commercial space, law accessories, and other things. The second part of my diploma thesis is composed of topics concerning the institute of property ownership, creation and content of the ownership rights with a special focus on residential and commercial premises including the issue of flats in housing co-operatives.

The third part of this thesis is dedicated to the transfer of the real estates based on purchase and donation contract. The following chapter I deal with the ownership transfer of residential and commercial premises as units in the house. I focus particularly on the attributes of transfer contracts at the consequences of these transfers to the property owner. Next chapter describes in details transfer a housing co-operatives property to the private ownership of this member.

The property ownership and transfer are considered significant in people's lives due to the high value of real estate. This importance should be reflected in legal treatment of real estate which needs to be clear, unambiguous, brief with a minimum of legal gaps and doubts in interpretation. This premise, however, in the Czech legal system is not completely filled. Especially the acquisition of title to real estate law has many loopholes and interpretative doubts that seek to bridge the judicial case law. Greater legal certainty should bring to this area the New Civil Code, which will be effective on January 1, 2014.