

ABSTRACT - RESUMÉ

The need for housing is undoubtedly one of the basic human needs of each individual. Not everyone, however, is the owner of the house or the apartment. To address this situation, when do not have their own housing, serves the institute of the tenancy. Here, however, the two interests conflict groups clash, landlords and tenants, who represent completely different interests. This is one of the reasons for states to actively intervene to the tenancy to ensure the right to housing for the tenants and also to protect property rights of the landlords. Many states came to the way of the housing policy, which is based on the belief that the tenant is the weaker party to the lease. In this way, this is a legal regulation of the rent and the lease. My thesis, entitled "The legislation regulating tenancy - a regulated rent" aims primarily to describe developments in this area in the Czech Republic in the last 20 years, noted that the regulation of the rent is definitely not just a phenomenon of this decade.

The work focuses primarily on the regulation of the rent, as is clear from its title, because this has become a main topic of many debates and tries to describe the deregulatory efforts in the Czech legal order for the last period, including the achieved result, which at the time of the assignment of the thesis is not yet known. It can be stated that with the regulation occurs the restriction of the property rights of landlords. If such regulation corresponds to the certain social consensus on the one hand, when there is a clash between the right to housing of the tenants on the other hand, and on the other hand the right of landlords to own their property, it is possible to see it as a legitimate way in which the state intervenes in this area. However, the problem in the Czech Republic was that this situation persisted for almost 10 years and the Constitutional Court in its findings correctly concluded, obviously with the regard of the European Court of Human Right's rulings, that in this case is transferred to the lessor a burden that no one can legitimately claim. The legislature responded to this situation after a long time with the Act No. 107/2006 Coll. This Act dealt with the situation only temporarily. The ultimate solution, however, brought the Law No. 132/2011, which amended the Civil Code, and which outlined the way pro futuro how the situation will be addressed. After the end of the efficiency of the Act No. 107/2006 Coll. It will be no longer possible to unilaterally increase the rent, but it will be primarily determined by mutual consensus of the parties. Only then, in the absence of a consensus of the parties, the

court will take the decision concerning the amount of the rent. Under these conditions, it can be stated that the Czech law order after many years came to a solution that is, from the point of view of the author, correct.