

# **ABSTRAKT V ANGLICKÉM JAZYCE**

The thesis deals with the issue of transfer of cooperative apartments to the ownership of the members of housing cooperatives.

After the initial definition of the object and subjects of transfer, the author in order to find the reasons why the members of housing cooperatives consider to transfer cooperative apartment to their property compares the legal regimes of cooperative apartment lease and condominium.

The largest part of the thesis is devoted to the issue of transfers of cooperative apartments to the ownership of the members of housing cooperatives whose accomplishment is entailed by law, without allowing housing cooperatives to request for transferring apartment into ownership consideration in the form of property purchase price.

The author examines the reasons which let the legislators to take the measures seriously affecting the property right of housing cooperatives, he evaluates it in terms of its adequacy and ability to achieve the pursued aim. In this context, he analyzes the development in the years 1948-1991, both in terms of interference with rights of the members of housing cooperatives and cooperative housing tenants.

Another part of the thesis focuses on already effective legal modification. The author tries mainly to draw attention to significant problems of interpretation that certain provisions of legal regulations governing transfers bring.

The attention is paid to the creation and extinction of the right to transfer the cooperative apartment to condominium, including the issue of protraction of the limitation of time for estoppel of cooperative apartment transfer to condominium. The subject of examination is also conditions whose fulfilment is a prerequisite for the realization of the transfer of ownership and the process of the transfer itself.

The author further explains the legally used concept of free of charge transfers to the ownership of apartments in the context he deals with the issues of payments of costs associated with making the transfer and property settlements of relationships between the

housing cooperative and the member in connection of the apartment transfer to condominium.

In next part of the thesis, the author speculates about the subsequences of the apartment transfer to the ownership and the continuation of membership in the housing cooperative in the case a member's apartment is transferred to condominium.

In the conclusion of the thesis, the autor also mentions the transfer of cooperative apartments to ownership of the members who do not have any legal claim, when trying to compare the regulations of optinal and mandantory transfers and point to possible problems in implementation of optional transfers they may occur.