

Summary

The aim of my thesis is to analyse the legislation regarding the residential lease and to compare the new Civil code regulation with the old Civil code regulation. Whereas some provisions of the old Civil code were completely replaced by the new legislation and some were practically left untouched.

The thesis is composed of seven chapters and subchapters. The introductory part consists of the overview of the historical evolution of the residential lease and definition of fundamental terminology. The main part of the thesis concentrates on describing the residential lease and changes of the relating legislation. The last part concentrates on interesting court rulings.

The first chapter presents the overview of the changes in the residential lease legislation, from the 19th century to the present day and is divided into three broad historical periods.

The second chapter comprises the main definitions including definition of the residential lease, definition of a flat, cooperative housing flat, sublease and other types of flats.

The third chapter mentions various ways of establishing the residential lease and mainly concentrates on lease contract, which is the most common reason for establishing the residential lease.

The fourth chapter summarizes the changes in the regulation of rights and obligations of the parties to the lease with a view to the potentially improved status of a tenant.

The fifth chapter deals with the characteristics of rent and other payments related to tenancy. It mentions for example, the legal conditions for the payment of rent or the method of determining the amount of rent.

The sixth chapter first discusses the conception of termination of the residential lease according to the old Civil Code, which is further compared with the new Civil code. This chapter is considered the most important and is therefore the most comprehensive because the legislation in the new Civil code paradoxically proves to be more complicated and less clear.

In the conclusion I mention couple legal rulings related to the residential lease to facilitate the reader into the context of the residential lease.