

Abstract

This thesis deals with transfers of flats from housing cooperative to their members. The thesis tries to describe the process of transfers of cooperative ownership especially regarding its specific aspects which feature and follow these transfers.

The thesis is divided into seven chapters.

First chapter summarizes basic periods of historical development of flat cooperative. This historical excursion, particularly period after 1945, is important also due to using of some of the terms in following chapters and it is also important for its influence on following property relationships.

Sources of law reflecting issue of transfers of flats from housing cooperative is listed in second chapter. It is not a complete list. It mentions only the most important ones that regard to flat ownership, rights and obligations necessary for the transfers, relationship between previous and present legislation.

Chapter three contains characteristic of individual subjects of this civil relationship. Most of this chapter is dedicated to a member – tenant of housing cooperative. Also this chapter compares previous and present legislation.

Specification of housing cooperatives is given in the fourth chapter. As well as two previous chapters also this one gives comparison between previous and present legislation. It says the characteristics of cooperative flat.

The housing cooperative is the owner of cooperative flats and as the owner it can dispose with the subject of its ownership. So it is necessary to give some legal restriction to disposal with this ownership to protect the member – tenant of the flat.

Otherwise the member – tenant can be in very unsafe position. The chapter five is all about this legal protection of member – tenant. To legally transfer the ownership of flat from housing cooperatives to its member there is a need to fulfill specific conditions. These are named in sixth chapter.

Chapter seven gives only brief addition of consequences of ownership transfer when the member – tenant becomes an owner of its own flat.