

The thesis deals with the legal relationships based on association, which is made by the housing tenants in order to purchase the real estate used by them. The purpose of the work is to inform about the legal consequences arising from the use of the contract of association at the privatization of flats or block of flats.

Association founded by an agreement under the provision of § 829 and next of the Civil Code, is not a legal person. It is a contract in which the parties agree that they will coordinate their activities in order to achieve the agreed purpose – the purchase of housing.

The work contains a detailed description of the historical development of this institute, since its roman law roots to the current legislation. The general section also contains the definition of the notion of characteristics of the association agreement, discusses the creation and termination of a membership, it deals with the conduct of members in respect of third persons, defines the rights and obligations tied to a membership in an association and deals with other aspects of the association agreement according to the legislation in force.

In short, the work points out the reasons and possible forms of privatization of the housing. In this context the distinction between the sale of residential units and sale of housing is highlighted.

Since the contract of association, whose purpose is the purchase and subsequent management of real estate, is made by a large number of participants and, as it directly affects meeting the housing needs of the members of the association, the author believes that the contract should contain a detailed adjustment of relations based on this contract. In the thesis are therefore considerations what provisions should be a part of the contract. Also, the author mentions the reasons for which it is appropriate to make these aspects written.

In conclusion, the thesis highlights some of the costs, legal implications and uncertainties related to the use of the contract of association in order to purchase apartments or housing, by tenants. In particular, the fundamental legal question referred to the issue will be answered. Which is if the building acquired is an asset of the association or not.