

Summary

The thesis entitled Flat Co-ownership focuses primarily on the selected areas of flat co-ownership under Act No. 89/2012 Coll., The Civil Code.

The first chapter of the thesis concerns the genesis and evolution of flat co-ownership in order to outline both the socio-political context of flat co-ownership and issues that occur throughout the whole thesis.

The second chapter examines the issue of the principle of superficies solo credit, also known as the superficial principle, which is closely connected to flat co-ownership and its development. The issue of the principle of superficies solo credit is relevant primarily because it is newly introduced in Czech civil law with the entry into force of Act No. 89/2012 Coll., The Civil Code, although this principle dates back Roman law. In the context of flat co-ownership, an important exception to the principle of superficies solo credit is the right to build. Therefore, this chapter also deals with the right to build and with historical development of the right to build and its concept in France and Russia. The chapter concludes with a discussion of the issues arising in connection with the application of the principle of superficies solo credit to flat co-ownership under Act No. 89/2012 Coll., The Civil Code.

In the third chapter, we focus on the traditional concept of flat co-ownership from the perspective of previous legislation and regulations under Act No. 89/2012 Coll., The Civil Code. This chapter also analyses the definition of the housing unit and common parts of house. A part of the chapter is also devoted to the issue of abolition of flat co-ownership which are related to the subjects of the previous chapter, namely the application of the principle of superficies solo credit and the time limitation of the right to build.

The fourth chapter specializes on the flat owners association and examines selected issues related to the legal regulation of the rights and obligations of the flat owners. In addition, this chapter deals with selected issues related to the legal regulation of the bodies of the flat owners association. The conclusion of the chapter is devoted to a comparison of flat owners association and housing association due to their parallel existence in the Czech legal system.

Each chapter concludes with a general summary of the answers to questions being examined. The overall summary of the researched issues and the evaluation of fulfilment of overall thesis objectives is contained in the conclusion.