

This thesis deals with the easement pursuant to Section 28d of Act No. 42/1992 Coll. and individual institutes and issues related to this easement. The thesis should represent a comprehensive analysis of this legal institute, not only from the theoretical point of view, but also from the point of view of court practice, especially using theoretical interpretation, which is accompanied by case law. The issue of this easement is not given much attention in the current literature, although it is a contemporary and very complicated issue.

The thesis is divided into three parts. The first part focuses on the general issues of housing construction and cooperative housing construction. Attention is paid in particular to the issues of cooperative complex housing construction, which involved the construction of extensions and additions on buildings and in buildings owned by third parties. A look at the history will give the reader a picture of the situation in which special cooperative housing construction occurred.

The second part of the thesis deals with easements in the current legislation. Attention is paid in particular to servitudes, which in their content and nature correspond to the easement in question.

The third part focuses in detail on easements under Section 28d of Act No. 42/1992 Coll. The reader is provided with a theoretical explanation of the legal regulation of the issue, the origin of this regulation and the reasons and purpose of its creation. The author points out the irregularities in the adoption of the statutory regulation and discusses the relevance of these irregularities in relation to today's issues related to the easement in question. Subsequently, attention is paid to the current legal, not only theoretical, but above all practical problems associated with the easement in question. In particular, the highly problematic, and above all unequal, legal position of the property owner, i.e. the person obliged by the easement, is assessed. As a final point, the thesis deals with the theoretical and practical issues of extinction of the easement in question.