

Reasons for notice of termination of the residential lease

Abstract

The thesis deals in detail with the reasons for which the lease can be terminated, both by the tenant and the landlord. The work is divided into six chapters, of which the first chapter is devoted to historical and general treatises on the lease, but especially emphasis is placed on the basis of the residential lease, ie protection of the weaker party and protection of property rights. Space is also devoted to the basic characteristics of residential lease.

The second chapter deals with the termination of the lease according to the general provisions on the lease, especially the element of temporality and its impact on the possibility of terminating the lease. The third chapter describes the termination of the residential lease and the relationship of the general regulation to the special regulation of the residential lease.

The reasons themselves are analysed in detail in Chapters Four and Fifth. The fourth chapter is devoted to the reasons for termination on the part of the tenant, which gradually deals with the possibility of terminating the lease for a definite or indefinite period, and subsequently to the legal reasons for termination. These are specifically discussed in the subchapters on termination for change of circumstances and on termination without notice. The question of the duration of the reason for termination at the time of delivery of the notice is also discussed.

The fifth chapter discusses the reasons for termination, but this time on the part of the landlord. The first subchapter describes the termination for the tenant's behaviour and the public interest. The second then examines the termination due to the housing needs of the landlord, his spouse or family. The last is again devoted to the duration of the reason for termination.

The thesis concludes with a chapter dealing with termination in the event of the tenant's death. The transfer of rent, the termination and the position of the state as the heir are discussed.

The sources of the work are mainly commentary literature and case law. However, the aim of the work was not just a description of the legislation and relevant case law, but a real in-depth analysis of all the individual specifics and pitfalls of dismissal reasons.

Key-words

lease, apartment, notice of termination