

Abstract

The reason why I chose this topic for my master's degree thesis is its currency, which results from the recodification of the Czech civil law. The topic is also interesting and useful. I also live in two Flat Owners Associations (FOA), so it may have influenced my option. The aim of the thesis is to describe and explain the basic institutes of FOA. I put some emphasis on its bodies, while trying not to avoid the interpretative disputable areas. I will be grateful if this thesis helps some FOAs in their everyday problems.

The thesis is divided into twelve chapters. After the introductory, theoretical and historical chapters, there follows the fourth chapter, which deals with the two fundamental terms – the administration of the house and the common parts of the realty. The fifth chapter describes FOA as an artificial legal person. It also deals with the founding and establishment of FOA. The next chapter focuses on the articles – the very important instrument for FOA's operation and management. The seventh chapter characterizes the rights and duties of the owners of the flats. The bodies of FOA and the judicial intervention into its decision-making process are analyzed in chapters eight and nine. The task of the tenth chapter is to describe the special form of (the) decision-making of the owners of the flats beyond the session. The eleventh chapter describes the dissolution of FOA as a legal person.

The conclusion outlines the most important benefit and detriment of the legislation. The benefit resides in the wide autonomy of the will of the owners of the flats in FOA. The detriment is the regulatory system of the multiple layers. The New Civil Code significantly altered the private law, so it provides an exceptional opportunity for change in areas where it was, because of their rigidity, previously considerably difficult.