

MULTI-FLAT APARTMENT BUILDING

who owns what

Common property

- 1 Roof**
- 2 Engineering and utility services room under the roof**
- 3 Elevator (elevator shaft and drive mechanisms)**
- 4 Garbage chute**
Residents may refuse to use garbage chutes and conclude a contract with the residential services, which will set waste containers next to the building.
- 5 Stairs and staircase landings**
- 6 External wall and load-bearing walls**
An apartment owner may decorate the interior walls, but has no right to destroy them.
- 7 Non-residential premises**
The entrance, doorkeeper's room, etc. — are property owned jointly. Association of co-owners can lease a part of these premises for the benefit of all the residents.
- 8 Main utilities**
Riser pipes (gas, water, heating, sewerage), pumps, boilers, electric wiring, transformers — all utilities that are used by more than one apartment, — are jointly owned by all the residents.
- 9 Basement and foundation**
- 10 Building surrounding grounds**
Previously, it was possible to allocate the land in kind, to mark its bounds. However, after regulations on setting out of building surrounding grounds in 2005 was cancelled — it became almost impossible to obtain title or right of permanent use to this territory.
The legislation should be changed as far as building surrounding grounds are an important resource. Playgrounds, parking lots, flowerbeds, waste containers etc. are located on this territory.

Private property

11 Private apartment

It is owned by the owner. S/he can do whatever s/he wants inside of it as far as it is not considered harmful for other residents. Service lines, being used by single apartment (pipes, electric wiring, gas, radiators, central heating etc), solemnly belong to the owner exclusively.

*"Property obliges...
...All subjects of the right of property
are equal before the law."*

Constitution of Ukraine, art. 13

This means that no one — neither housing and community services, nor local authorities or the state — are obliged to take care for the building that you own.



⚠ *The vast majority of residents of apartment buildings in Ukraine do not know who owns their entire buildings. To the question: "Who is the owner of your apartment?" the answer is clear: "I am". However, to the question: "Who is the owner of your entire building?" the answer will differ: "the state", "local authorities", "housing and community services" and so on.*

In fact, according to the current legislation of Ukraine our multi-flat apartment house belongs... to us, in other words, to all the residents of the building. As a result, nobody other than ourselves will take care of our apartment house.

According to p. 2, art. 382 of the Civil Code of Ukraine "owners of the flats in a two- or multi-flat apartment house shall have the right of joint common ownership in the general purpose space, support structures of the house, mechanical, electric, sanitary engineering

equipment outside and inside the flat, which service more than one flat, as well as constructions and structures intended to meet the needs of all the flat owners as well as owners of nonresidential premises located in the apartment house".

In other words, each multi-flat building is a huge "communal apartment" in which the separate "rooms" are apartments, and the rest, as it was stated in this article of the Civil Code, — are common "kitchen", "washroom" and "corridors".

Political party "Spilna diya" (Joint Action) is formed by those Ukrainians who want to see their country civilized. We work in the sphere of the property rights legislation and help people to learn how they can independently and effectively manage their common property through self-organization mechanisms (Condominium, Housing and Community Services, etc.).

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