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Joint tenancy

The changes and additions were aimed at the comprehensive regulation of relations, taking into account the development of the practice of applying the institution of joint tenancy. Some of them are presented below.

For reference: joint tenancy is the legal relationship of owners of real estate, including a land plot and the building (buildings) and (or) other real estate located on it, some parts of which are in the state and (or) private ownership of two or more owners, and the rest parts are common property.

The emergence of relations on joint tenancy will not be associated with the moment of state registration of ownership of the premises located in the capital structure, but with the date of state registration of the creation of the building, in which, in accordance with the documents provided for registration (as a rule, certificates on the distribution of isolated premises between candidates for titleholders) separate premises will be owned by different persons.

An important novelty is the increase in the number of ways to manage the common property of joint tenancy. Additionally, a method of management organization is provided, which can be involved on the basis of a contract for the management of the common property of joint household. The managing organization can be determined by the owners at their meeting or appointed by the local executive committee in cases where the owners cannot make any decision on the procedure for managing the common property.

The possibility of using such a method as direct management of a building by participants in joint tenancy on the basis of an agreement between them has been significantly expanded – earlier this method could be used if there were no more than 4 rooms in the building, after the entry into force of the law – if the number of owners of premises in the building does not exceed 15.

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БЕЛАРУСЬ