

Real Estate Law News

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The primary purpose of this Newsflash is to reflect the most important new regulations and changes in the national legislation related to real estate:

Resolution No 235 of the Government of the Republic of Lithuania as of 10 March 2010 Regarding Amendment to Resolution No 603 of the Government of the Republic of Lithuania as of 23 May 2001 Regarding Approval of Standard Regulations on Administration of Common Property of the Owners of Apartments and other Premises.

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The Resolution, amongst other things, introduced the following amendments:

- Directors of municipality administrations are proposed to appoint an administrator in case the owners of premises do not establish a condominium within 6 months after acceptance of the building as fit for use, or do not make up an agreement on joint activities or if the owners of premises made an appropriate decision in the manner established by the Civil Code and applied to the director of municipality administration with a request to appoint an administrator;
- It revised definitions provided for in the Regulations;
- The administrator of a multi-apartment house shall have the following obligations:
 - (i) To publish annual and long-term work plans related to the renovation of objects in common use in the multi-apartment house on the Internet page of the administrator, if such exists;
 - (ii) To prepare proposals on accumulation of funds for the renovation of objects in common use in the multi-apartment house, procedures and amounts, as well as to submit such proposals for approval at the meeting of the owners of premises or by written voting; the accumulated funds shall be kept in a separate bank account;
 - (iii) Not later than 3 days prior to the beginning of the renovation of objects in common use in the multi-apartment house to send notifications to the owners of premises about the planned concrete works, their scope, prices, deadline of works, contractors, as well as to publish such information on the announcement board of the multi-apartment house and on the Internet page of the administrator, if such exists;
- It established that a representative elected by the owners of premises, if such has been elected, shall be invited to participate in the Commission for procurement of services related to the administered building, while the procurement results shall be announced on the announcement board of the multi-apartment house and on the Internet page of the administrator, if such exists;
- It specified the contents of a report on activities of the administrator with regard to the administered building;
- It specified the procedure for calculation of fees for the maintenance of land plot attributed to the building or several buildings;
- It established that the owners of premises may elect an authorised representative(s) who would represent them in relations with the administrator;
- Procedure for replacement the administrator has been specified – he/she shall be replaced upon a decision of the director of municipality administration on the basis of a claim submitted in writing by the owners of premises who theretofore made the appropriate decision in the manner established by the Civil Code; also in case the director of municipality administration establishes that the administrator does not execute his/her functions or fails to execute his/her functions in a due manner;
- The administrator is entitled to provide services related to the permanent technical supervision (maintenance) of objects in common use in the multi-apartment house unless legal acts prohibit provision of the said services.

Order No D1-193 of the Minister of Environment of the Republic of Lithuania as of 15 March 2010 Regarding Approval of the Rules for Protection of Green Plantations in Case of Construction Works.

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The Order approved the Rules establishing requirements for the protection of green plantations, which are binding to land owners, possessors and users, including natural and legal entities executing construction works on the state-owned and private land.

Jurevičius, Bartkus & Partners
Professional Law Partnership
Subačiaus 7
LT-01302 Vilnius
Tel. +370 5 274 24 00
Faks. +370 5 274 24 44
Advocate@jbblegal.lt
www.jbblegal.lt

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