

Condominium as Seen by Surveyors a Compendium of National Approaches on Condominium Surveying and Their Best Practices

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SUMMARY

CLGE's Interest Group of Publicly Appointed and Regulated Liberal Surveyors is editing a compendium on the role of Property Surveyors the very important issue of multi-apartment buildings and the definition of ownership within these buildings – the so-called condominium design. We will see that this plays an important role in the UN-SDG.

Even if co-ownership of buildings can be traced back to ancient Egypt and the Middle-Ages, A condominium property is a relatively new type of real property in Europe that provides the possibility to establish individual ownership of a part of a building.

Condominium law is primarily designed to convert buildings consisting of residential rental apartments into individual ownership for each apartment resident, but other types of non-residential use are also quite common in many jurisdictions.

The practical conditions regarding the conversion of a property/building into a condominium property differ across jurisdictions. The role of the property surveyor in the process of determining condominium ownership is very important. It starts with measuring the building and preparing the obligatory documentation, including a map of the condominium units and a list containing details of each condominium's unit number, location address, size, and co-ownership share. The calculation of the co-ownership share determines the number of votes at the general assembly, the ownership share(s) in the common property, and the contribution to the common expenses.

Moreover, it has been acknowledged that the chartered surveyor's ability to combine rights and/or responsibilities over the common property with maps not only creates a more accurate registration but is also efficient in generating a transparent and clear organisation. Indeed, the registration of

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property rights over the common property is not dependent only on text documents, which sometimes are subject to misunderstandings.

In addition to measuring and preparing the mandatory documentation, property surveyors can work as a legal adviser, counseling the owner/developer on legal issues determining the co-owner share, and assisting them in preparing a customised by-law and/or easements.

There is reason to believe that the use of the condominium concept will increase in the future because multiple ownerships in mixed-use buildings around the world are growing. This is mainly due to an intensification in urbanisation that focuses on creating interesting, safe, and sustainable cities (SDG UN no. 11). This challenges existing condominium institutions around the world. Therefore, each jurisdiction might gain positive outcomes by analysing its condominium institution in terms of adoption of optimised solutions.

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