

EMERGENCY REPAIRS – DEFINITION AND RESPONSIBILITIES

1. Definition of Emergency Repair

An emergency repair is any activity undertaken to eliminate a danger to human life or health, prevent property damage, or remove a threat to the essential living conditions within a building. Such repair must bring the source of danger under control as quickly as possible.

2. Situations Considered as Emergency Repairs

Emergency repairs include works carried out on the common parts and installations of a building in cases such as (failures in gas installations, malfunctions in central heating or hot-water systems, ruptures, damage, or blockages in water supply and sewage installations, failures in electrical installations (including communication and video surveillance systems), damage to chimneys or flue ducts, rainwater penetration into the building and roof damage, compromised structural stability of the building or any of its parts, breakdowns of elevators, lifting platforms, or ramps, malfunctions in mechanical ventilation or fire protection systems, and detachment of façade elements, sheet metal, or roof tiles).

3. Financial Responsibility

The costs incurred by emergency repairs are borne by the condominium association, i.e. all co-owners in proportion to their ownership shares. If the building manager has carried out an emergency repair at their own expense, they are entitled to reimbursement of those costs from the association and co-owners, also in proportion to their ownership shares.

4. Individual (Private) Parts of the Building

The manager may also carry out an emergency repair within an individual part of the building (e.g., an apartment or commercial unit) if the owner fails to act and the defect poses a threat to other parts of the building. In such a case, the owner of that unit must reimburse the reserve fund for the costs incurred in the repair.

5. Statutory Lien Right

To secure the collection of emergency repair costs, the manager has a statutory lien over each individual part of the property, unless the amount is below the minimum threshold prescribed by law for enforcement on real estate.