

# EMERGENCY REPAIRS – DEFINITION AND RESPONSIBILITIES

## Emergency Repair

### Article 25

(1) An emergency repair is an activity undertaken to eliminate a danger to human life and health or to prevent damage to property within or outside the building, or an activity that removes a threat to the basic living conditions in the building.

(2) An emergency repair involves bringing the source of danger under control as quickly as possible.

(3) Emergency repairs include works on the common parts and systems of the building in the following cases:

1. malfunction of gas installations,
2. malfunction of the central heating or hot-water systems,
3. rupture, damage, or blockage of water supply or sewage installations,
4. malfunction of the electrical installation, including electronic communications and video surveillance systems,
5. damage to chimneys or flue ducts,
6. water ingress into the building, remediation of water damage, or damage to the roof,
7. compromised structural stability of the building or its parts,
8. malfunction of the elevator, lifting platform, or ramp,
9. malfunction of the building's mechanical ventilation or fixed fire protection systems,
10. detachment or falling of façade elements, sheet metal parts, or roof tiles.

(4) The community of co-owners, together with all co-owners proportionally to the size of their ownership shares, is responsible for covering the costs arising from emergency repairs.

(5) A building manager who has undertaken an emergency repair at their own expense has the right to reimbursement of those costs from the community of co-owners and all co-owners, proportionally to their ownership shares.

(6) The building manager may also carry out emergency repairs on an individual (private) part of the building and its appurtenances if the owner of that part fails to do so, and if the defect poses a danger to other parts of the building.

(7) In the case referred to in paragraph 6 of this Article, the co-owner of that part of the building is obliged to reimburse the amount of the reserve funds used for the repair.

(8) To secure reimbursement of the costs referred to in paragraphs 5 and 6 of this Article, the building manager holds a statutory lien on each individual unit of the property, unless the proportional part of the reimbursement is lower than the minimum amount of a claim that may be enforced by foreclosure on real estate, in accordance with the law governing enforcement.

**Source:** Article 25 of the Building Management and Maintenance Act (Official Gazette NN 152/2024)