

Condominium Ownership Management Act

Promulgated, State Gazette No. 6/23.01.2009, effective 1.05.2009, amended and supplemented, SG No. 15/23.02.2010, amended, SG No. 8/25.01.2011, effective 25.01.2011, amended and supplemented, SG No. 57/26.07.2011, amended, SG No. 82/26.10.2012, effective 26.11.2012, SG No. 66/26.07.2013, effective 26.07.2013, SG No. 98/28.11.2014, effective 28.11.2014

Text in Bulgarian: Закон за управление на етажната собственост

Chapter One

GENERAL DISPOSITIONS

Section I

Subject

Scope

Article 1. (Supplemented, SG No. 57/2011) This Act shall regulate public relations involving the management of common areas of buildings under condominium ownership arrangements and the rights and obligations of the owners, users and occupants of individual dwelling units or parts thereof.

Special Arrangements for the Management of Common Areas

Article 2. (1) The management of common areas of buildings under condominium ownership arrangements in closed-type residential complexes shall be agreed by written contract with notarially certified signatures, concluded between the investor and the owners of individual units.

(2) (Supplemented, SG No. 57/2011) The contract referred to in Paragraph (1) shall be registered by the developer in the Registry Agency in the record of each individual unit and its validity shall be carried over to any persons to whom the unit is subsequently transferred.

Exceptions

Article 3. (Amended, SG No. 57/2011) The provisions of Article 30, Paragraph (3), Article 31, Paragraph (1) and Article 32 of the Ownership Act shall apply to the management of common areas of buildings under condominium ownership arrangements with up to three individual units, where the units belong to more than one owner.

Designation of Adjoining Area

Article 4. (1) The area adjoining a building shall be designated in the course of restructuring of neighbourhoods with residential complex developments and in cases where a building under condominium ownership arrangements cannot be designated as a separate regulated land plot under Spatial Development Act procedures.

(2) (Amended, SG No. 66/2013, effective 26.07.2013, SG No. 98/2014, effective 28.11.2014) In the cases referred to in Paragraph (1) the adjoining area shall be designated by the Mayor of the municipality on his or her own initiative or on request of the interested parties under procedures stipulated in an ordinance of the Minister of Regional Development and Public Works.

(3) On designating the adjoining area the Mayor of the municipality shall issue an order, accompanied by a plan showing the boundaries and functional designation of the area.

(4) The designated adjoining area shall be provided for maintenance and use by the respective condominium under conditions and procedures set out in a municipal council ordinance.

Section II

Rights and Obligations of Owners, Users and Occupants of Independent Units or Parts Thereof

(Title supplemented, SG No. 57/2011)

Rights of Owners, Users and Occupants

(Title supplemented, SG No. 57/2011)

Article 5. (1) The owners of independent units in a building under condominium ownership arrangements, hereinafter referred to as "owners", shall be entitled to:

1. use the common areas of the building in accordance with their designation;
2. participate in the management of the condominium.

(2) (New, SG No. 57/2011) Users in a building under condominium ownership arrangements shall be entitled under Paragraph (1), Item 1 and able to participate in the condominium ownership management, except in the passing of decisions under Article 11, Paragraph (1), Item 7 and Item 10, letters "a", "b", "c", "d", "g" and "k", unless agreed otherwise between owner and user.

(3) (New, SG No. 57/2011) Unless agreed otherwise between owner and user and in case of difference of opinion between them participation in the voting shall be reserved for the owner.

(4) (Renumbered from Paragraph (2), SG No. 57/2011) Occupants of a building under condominium ownership arrangements shall have the right referred to in Item 1 of Paragraph (1) and the right to participate in the management of the condominium in an advisory capacity.

Obligations of Owners, Users and Occupants

(Title supplemented, SG No. 57/2011)

Article 6. (1) Owners shall be obliged:

1. (supplemented, SG No. 57/2011) not to obstruct the other owners, users and occupants from using the common areas of the building;
2. not to cause damage to other sites and common areas of the building;
3. not to occupy common areas of the building;
4. (supplemented, SG No. 57/2011) not to engage in activities or actions in their individual unit or in any part thereof which cause inordinate inconvenience to other owners, users and occupants;
5. not to engage in activities in their individual unit or in any part thereof which modify rooms, spaces or parts thereof, intended for common use and not to disturb the architectural appearance, load-bearing capacity, structural stability, fire safety or safe use of the building;
6. to fulfil the requirements set out in the respective statutory regulations when keeping animals in their individual units and not to cause inconvenience to their immediate neighbours;
7. not to infringe good manners;
8. to comply with the decisions of the condominium management bodies;
9. (amended, SG No. 57/2011) to pay the costs of repairs, reconstruction, redesignation and renovation of the common areas of the building, replacement of common installations or equipment and contributions to the Repair and Renovation Fund in a proportion corresponding to their undivided shares in the common areas;
10. (amended, SG No. 57/2011) to pay the costs of management and maintenance of the common areas of the building;

11. to comply with sanitary and hygiene standards;
12. (amended, SG No. 57/2011) to provide access to their independent unit or part thereof for essential surveying, design, measurement, construction and assembly works related to maintenance, repairs, reconstruction, redesignation and renovation of common areas or of other rooms and for checking the condition of the installations and structural elements of the building;
13. to provide assistance for firefighting or emergency rescue activities by the competent authorities inside the building and in the area around it;
14. to compensate for any damage caused to other units in the building where such damage results from repairing damage to the owner's own independent unit or part thereof;
15. to use the common areas of the building in accordance with procedures set out in the condominium regulations;
16. (amended, SG No. 57/2011) to enter the members of their households and occupants in the condominium book;
17. to fulfil other obligations stipulated in the condominium regulations.

(2) (New, SG No. 57/2011) The users of independent units in a building under condominium ownership arrangements shall have the obligations stipulated in Paragraph 1, except for those under Paragraph 1, Item 9, unless agreed to otherwise between owner and user.

(3) (Renumbered from Paragraph (2), amended, SG No. 57/2011) The occupants of a building under condominium ownership arrangements shall have the obligations stipulated in Paragraph (1), with the exception of those set out in Paragraph (1), Item 9.

Condominium Book

(Title amended, SG No. 57/2011)

Article 7. (1) (Amended, SG No. 57/2011) A condominium book shall be organised, kept and maintained in each building or entrance under condominium ownership arrangements.

(2) (Amended, SG No. 57/2011) Entries in the book shall include:

1. the individual unit - purpose and built-up area;
2. the undivided shares of the unit in the common areas of the building (as a percentage);
3. the forenames, patronymics and surnames of the owner or user - in the case of natural persons and in case owner or user would be a legal entity or a sole trader - its name, BULSTAT code or Uniform Identification Code (UIC);
4. forenames, patronymics and surnames of the household members, residing together with the owner and/or user;
5. the periods when the persons under Items 3 and 4 are not using the individual unit;
6. the forenames, patronymics and surnames of the occupants, temporarily staying at the unit on independent legal grounds for more than 30 days, the date of entry on and the date of removal from the register;
7. the rights and obligations concerning the management of the common parts of the building, agreed between owner and user.

(3) (Amended, SG No. 57/2011) Owners or users shall be obliged to record, within 15 days of acquisition of the right of ownership or use, in the condominium book the data under Paragraph (2), respectively any changes in circumstances. Occupants shall be obliged to register within the term under the first sentence the data under Paragraph (2), Item 6.

(4) (Amended, SG No. 8/2011, effective 25.01.2011, supplemented, SG No. 57/2011, amended, SG No. 66/2013, effective 26.07.2013, SG No. 98/2014, effective 28.11.2014) Access to data in the register shall be provided to the managing council (manager), the control board (controller), owners (with regard to their own data) and the authorities of the Interior Ministry, the Ministry of Regional Development and Public Works, the municipal or district administration and the Bulgarian Food Safety Agency, in compliance with the requirements of the Personal Data Protection Act.

(5) (Repealed, SG No. 57/2011).

(6) (Amended, SG No. 57/2011) Owners, users or occupants shall register in a separate differentiated field of the condominium book any animals owned or admitted for rearing, which are taken to public areas and in the case of canines - also the serial numbers of their veterinary passports.

(7) (Amended, SG No. 57/2011, SG No. 66/2013, effective 26.07.2013, SG No. 98/2014, effective 28.11.2014) The standard form for the condominium book, together with instructions on its organisation, keeping and maintenance, shall be endorsed by the Minister of Regional Development and Public Works.

Chapter Two

CONDOMINIUM MANAGEMENT

Section I

General Rules

Scope of Management

Article 8. (1) (Supplemented, SG No. 57/2011) Management shall encompass the procedures and control over the use and maintenance of common areas and compliance with house rules in a building under condominium ownership arrangements, as well as control on the fulfilment of obligations by owners, users and occupants.

(2) Where a building has more than one entrance, management may be implemented separately in each entrance.

Forms of Management

Article 9. (Amended, SG No. 57/2011) Condominiums shall be managed by a general assembly and/or association of owners.

Section II

General Assembly of Owners

Management Bodies

Article 10. Management bodies shall comprise the following:

1. General assembly;
2. Managing council (manager).

Powers of the General Assembly

Article 11. (1) The general assembly:

1. shall adopt, amend and supplement condominium regulations;
2. shall elect and dismiss members of the managing council (manager) and a cashier;
3. shall elect and dismiss members of the control board (controller);
4. shall adopt an annual income and expenditure budget and approve the annual reports of the managing council (manager) and of the control board (controller);
5. shall determine the amount of cash contributions to the management and maintenance costs of the common areas of the building;
6. (repealed, SG No. 57/2011).
7. shall determine the amount of cash contributions to the Repair and Renovation Fund;
8. shall adopt a plan for repair, reconstruction and redesignation works and other activities in the common areas of the building,