

THEMATIC TITLE	LEGAL PROBLEMS CONCERNING CONDOMINIUM COMMON PROPERTY AND AUTHORITY OF THE JURISTIC PERSON OF CONDOMINIUM
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ABSTRACT

This study aimed to study legal issues concerning condominium common property and authority of the juristic person of condominium emphasizing on legal measures of Thailand, United State, France and Singapore which related administrating of condominium in case of condominium property, maintenance fee and authority of the juristic person of condominium.

The study revealed that the juristic person of condominium had registered the regulation of condominium that provided the owner to hold ownership in the health center, fitness room, swimming pool and was not considered a common property of the condominium. There was exception which was no charge for centralized health center, fitness room and swimming pool from condominium owner. It was stated in the regulations that such condominiums or areas were considered as public utilities of condominiums so there was no maintenance fee. And the juristic person of condominium discriminately reduced the penalties, increase common expenses owed by co-owners less than those fixed by the regulation of the condominium juristic person to certain co-owners including not sending meeting invitation and agenda content to the co-owners or sending the meeting invitation and the agenda item less than 7 days as prescribed by the law. The act of the foregoing condominium was unfair to the co-owner as a result of the uncertainty of the Condominium Act, BE 2522.

The writer recommend to amend the Condominium Act, BE 2522 that the place is for public services such as health center, fitness room and swimming pool are condominium common property

and co-owner, owner and ownership of the land have to pay maintenance fee without exception. If there is a reduction of penalties, increase maintenance fee to co-owners must get the resolution from the co-owner meeting. For sending a meeting invitation and the agenda item to the co-owner, it must be sent by registered mail or any other method that can present evidence of the meeting invitation and the agenda item to the co-owner.