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# Amendments to the law on immovable property

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# Comparison of the provisions of property rights reform

	Judicial Institution	Current in the CC RF	Draft Law Amendment 2019	430-FZ (as of 1.3.2023)
1	<b>Concept "EON"</b>	No	Yes 	no change 
2	<b>"ENK"</b>	Art. 1	Art. 1 (new) 	no change 
3	<b>Premises</b>	Mentioned	Art. 4	Art. 3 General
4	<b>Car parking spaces</b>	Mentioned	Mentioned	
5	<b>"ONS"</b>	Mentioned	Art. 1 (special) 	no change 
6	<b>Restricted rights in rem:</b>			
	▸ Land easement	Yes (Art. 4)	General part (Art. 6)  Types of easement (Art. 4)	no change 
	▸ Superstructure, ground lease, usufruct	no	yes	
	▸ Hypothecary and others			
7	<b>Property and its protection</b>	no	yes 	no change 

# Real Estate (immovable items) (ch. 6<sup>1</sup>)

Plot of land (property)

Buildings and structures - arise as a result of:

- a) construction,
- b) division of a property,
- c) connection of several properties

Premises (residential and commercial), car parking spaces  
The construction of premises and parking spaces in an "ONS" is not permitted



## Specifics of ownership of premises, car parking space

In the event of demolition or destruction of a building or structure, the owners of the premises or car parking spaces retain their right of common share ownership of the land plot.

The owner of the premises or a car parking space may not use them in a manner that violates the rights and legally protected interests of the owners of other premises or parking spaces.

"The owner of a premises, car space shall own a share in the ownership of the common property in such building or structure".

# Common property of the owners of premises and parking spaces

Common property is intended to serve more than one premises, parking space

Common property includes, in particular,

- ▶ Accessory rooms (technical floors, attics, technical cellars);;
- ▶ roofs,
- ▶ Enclosed constructions,
- ▶ Installations: mechanical, electrical, plumbing and other

The share in the ownership of the common property is proportional to the share of the owned premises or car parking space in the total area of the building. The number of votes is proportional to the size of the share.

The common property can be made available for use by third parties - a 2/3 vote of the owners is required (the legally protected interests of other owners must not be infringed).





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