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2020 HOUSING OWNERSHIP REFORM: RISKY CHANGE TO NEW RAILS

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The publication presents a very unusual example for post-Soviet countries, where the construction sector and the sector of resource organizations - monopolies dominate. In post-Soviet countries, apartment owners (individuals) are not members of the Associations, and almost no one represents their interests. Almost - this means that there are small associations of OSZH (Associations of Home Owners) and public organizations of the leaders of the OSZH.

The Society for the Protection of Consumer Rights of Apartment and House Owners (Wohnen im Eigentum (WiE), and Associations and Unions of German Managers, directly or indirectly represent the interests of owners. property, they strengthen the owners, in the long term. There is a constant political dialogue and various NGOs (Non-Governmental Organizations) and representatives of the authorities are involved. Therefore, if you do not delve into the essence of the problem in the publication, the situation of apartment owners in Germany, which is criticized in publications are welcome in the CIS countries.

The WiE Association has expressed its position in two setting documents:

- Service provider or director? Simplification of the management of OSZh should occur without strengthening the role of the manager!
- Homeowners should retain a say in spending on extensive home renovations and energy upgrades, and electromobility.

The second point raises no doubts, but I would like to speak about the first in detail. Management is the process of changing the future in the interests of the owners of the OSZH. This process includes the delivery of services, and interviewing the owners, and drawing up short-term and long-term plans for home renovation and modernization, and mediation, and much more. Therefore, simplification of management should not simplify the role and tasks of the manager, while maintaining the participation of the owners, of course.



At the same time, the WiE Strategic Action Concept is very precise and balanced in terms of maintaining balance and protecting owners. The advocacy plan and the measures taken, the activity of the WiE association are respected.

The fact that managers, as a result of the legislative reform, can now conclude all kinds of contracts that will be valid for the OSZH, is balanced by the rule - the manager acts exclusively within the framework of the powers determined by the decisions of the general meeting of owners.

Several other comments.

“A simple majority is enough to make all kinds of decisions on modernization and energy rehabilitation” - indeed, this simplifies decision-making, but complicates implementation and leads to disputes. Probably the qualified majority is better (qualified in Belarus).

“There was no commitment to mid- and long-term planning of the building's conservation measures along with the financing plan” - indeed, in terms of

sustainability is important. In addition, a simplified sectoral supplement to the German Sustainability Code can be the basis for such planning.

All 14 points of the “Review of the most important changes in the new law on the ownership of housing” give the impression of a logical connection with each other and do not contain contradictions. We can congratulate on this WiE, although it is understandable some disappointment that not everything was implemented. But we in the post-Soviet countries remain disappointed that we do not have the opportunity to get at least such a “disappointment” as in WiE.

It is impressive that WiE is also concerned about "user instructions" for adapting to system changes and other important transformations. If the owners have to take care of the "installation and test run of the system" in the joint households themselves and incur the corresponding costs, then this can become a problem when working under the new rules. But if WiE realizes this, then we are confident that new logical efforts will be made to solve the problem, and we at MAMN wish WiE every success!

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