

Communities of residents

Rights and duties of
proprietors and tenants



Ajuntament de Mollet del Vallès

MO!ET

Live and coexist. It depends on you

With the collaboration of:



The community of proprietors

- The community of proprietors is formed by all those persons who are proprietors of a dwelling or premise located within a same property.

Who represents the Community of Proprietors?

- The president of the Community, who must ensure the interests of all the residents. There may be other positions.

How is the president elected?

- The president, like the rest of positions within the Community, is chosen by means of election, draw or rota system among all the proprietors.

What function does the president have?

- To ensure the compliance of the duties of the proprietors.
- To call and preside the meetings of the Board of proprietors.
- To ensure the preservation and good functioning of the common elements and services.
- To urge the proprietors and tenants to respect and comply the Community rules.
- To represent the Community of Owners legally and out-of-court.

Competences of the Board of proprietors

- To appoint and revoke persons who hold the positions within the community.
- Approve the budgets and annual accounts.
- Approve the performance of ordinary and extraordinary repairs.
- To be informed of the urgent measure adopted by the Community's Administrator.
- Approve or reform the Statutes and the **Internal Regulations**.
- Adopt the necessary agreements with regard to any matters concerning the Community.

It is very important for all the proprietors to participate in the Board of Proprietors in order to know what is happening within the Community and make the relevant decisions.

How are the decisions taken?

The decisions of the Community are adopted by majority, although it is convenient to seek for the maximum consensus among the residents...

The proprietors who are not up to date in their payments to the Community may not exercise their right to vote in the meetings.

Book of Minutes

The agreements reached by the Board of Proprietors must be collected in a book of minutes.

The minutes of each Board meeting must state:

- The agreements reached

- The names of the proprietors who have voted in favour.
- The names of the proprietors who have voted against.

Duties of proprietors and/or tenants

- To keep their dwelling or premise in a good condition.
- To collaborate in the cleaning of the building's common areas.
- To respect the Community's rules.
- To allow the access to their dwelling to perform the necessary repairs and avoid damages to neighbours or to the building.
- They can not carry out activities that are bothersome, dangerous or illegal...
- To respect the use of the common areas in accordance to the internal regulations and to the use that is normal and suitable and according to their nature.
- The proprietors or tenants may not have exclusive or predominant use of any common element.
- **The proprietors must contribute to the Community's general expenses and to the general duties derived from the preservation of the building.**
- **The tenants have the duty of paying the Community expenses in the event it is established within their rental contracts.**

Maintenance of the dwellings and buildings

- The creation of a communitarian economic fund or reserve fund for the building's maintenance. The reserve fund may only be used to perform direct payments resulting from the expenses of:
 - Preservation, clearing and repair of the building.
 - The contracting of an insurance policy to covers the damages caused to building.
 - Maintenance contracts for the building and its general installations.

- In the case of damage of common elements, although it affects only one dwelling, it is everyone's responsibility to find a solution.
- The president must be advised in the case of observing damp patches, cracks...
- It is necessary to take care of the maintenance of the façades and other parts of the building that are visible from the outside (entries, antennas, or chimneys)

The Municipal regulations intend that all individual satellite dishes installed in the dwellings are replaced for community dishes.

All these aspects are regulated in the Law of Horizontal Property

Law 5/2006, of 10th May. Book 5 of the Catalan Civil Code, property rights.