Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

17 November 2016 [shall come into force on 1 January 2017];

22 June 2017 [shall come into force on 13 July 2017];

21 January 2021 [shall come into force on 3 February 2021];

6 July 2021 [shall come into force on 5 August 2021];

16 December 2021 [shall come into force on 1 January 2022];

17 March 2022 [shall come into force on 13 April 2022];

31 March 2022 [shall come into force on 3 May 2022].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following Law:

**Law on Residential Properties**

**Chapter I**

**Residential Property**

**Section 1. Purpose of the Law**

The purpose of this Law is to prescribe the status of a residential property, the rights, obligations, and accountability of an apartment owner, and also the competence and decision-making procedures of the community of apartment owners.

**Section 2. Residential Property and the Composition Thereof**

(1) A residential property is an independent immovable property which has been legally partitioned in a residential house. Within the meaning of this Law, a building which has been registered as a residential house in the State Immovable Property Cadastre Information System is considered a residential house.

(2) A residential property as a whole shall consist of an individual property and the relevant undivided share of the joint property. The individual property and the undivided share of the joint property included in the apartment property shall be legally inseparable.

(3) In relation to the residential property, insofar as it is not regulated by this Law, the norms of the Civil Law shall be applicable. The provisions of Section 927 of the Civil Law shall be applied to residential properties with the restrictions provided for in this Law.

[*6 July 2021*]

**Section 3. Individual Property**

(1) An individual property is an apartment, non-residential premises, or artist’s workshop which is structurally and functionally enclosed in a residential house and which has been registered as a residential or non-residential group of premises in the State Immovable Property Cadastre Information System (hereinafter also – the Cadastre Information System).

(2) Elements of an individual property shall be:

1) the structural non-load bearing, enclosing and finishing elements of the premises or a group of premises (including internal partitions, ceilings, floor and wall finishes, doors);

2) engineering networks and engineering communications to the vertical connecting pipe of the joint property;

3) engineering equipment components (including kitchen facilities, ventilation installations, toilet, shower and bath facilities) without which the elements of the existing share of the joint property residential house can function independently;

4) enclosing windows and doors of the individual property.

(3) In addition the composition of an individual property may include auxiliary premises located outside premises or a group of premises and functionally associated therewith and auxiliary structures or their parts which are not functionally associated with the existing share of the joint property residential house or another individual property.

[*17 November 2016*]

**Section 4. Existing Joint Property Share**

(1) An existing joint property share shall include the following:

1) external enclosing structures (including walls, architectural elements, the roof, windows and doors of premises for common use, also exterior doors) of the residential house and external premises thereof (galleries, balconies, loggias, terraces), internal load bearing constructions (including supporting walls and columns, as well as separate enclosing walls of the property), intermediate coverings (including heat and sound insulation layers), premises for common use (including attics, stairwells and cellars), as well as the engineering communication systems, devices servicing the residential house and other indivisible elements functionally associated with the exploitation of the residential house, which do not belong to an individual property (including the heating elements within the boundaries of the individual property, if their functional activity depends on the existing engineering communications of the joint property);

2) the auxiliary buildings and structures belonging to the residential house, except for those referred to in Section 3, Paragraph three of this Law;

3) the land parcel on which the relevant residential house is situated if it does not belong to another person.

(2) Sections 1067–1072 of the Civil Law shall be applied to the existing joint property share. Provisions of Section 1068, Paragraph one of the Civil Law shall be applied insofar as this Law does not provide otherwise.

[*17 November 2016; 21 January 2021; 6 July 2021*]

**Section 5. Amount of the Undivided Share of the Joint Property**

(1) The undivided share of the joint property contained within the residential property shall be the total area of the individual property in proportion to the total area of all individual properties existing in the residential house.

(2) Upon alteration of the total area of an individual property, the undivided shares of the joint property included in each residential property shall also be amended accordingly, except for the case referred to in Paragraph three of this Section.

(3) The amount of the undivided share of the joint property included within the residential property shall not change if changes in the total area have occurred within the limits of the individual property, including upon carrying out rebuilding or repeat survey of the individual property. The sum of the undivided share of the joint property shall form a whole.

(4) The amount of the undivided share of the joint property included within the residential property shall be calculated, re-calculated, and registered in the Cadastre Information System by a territorial unit of the State Land Service according to the current structure data registered in the Cadastre Information System.

(5) In the case specified in Paragraph two of this Section, the amount of the undivided share of the joint property included within the residential property shall be re-calculated and registered according to the current structure data registered in the Cadastre Information System on the basis of a decision of the community of apartment owners.

(6) After all the purchase contracts of privatisation objects have been entered into or agreements for the transfer of an apartment or single dwelling into ownership free of charge have been entered into in accordance with the procedures laid down in the law On Privatisation of State and Local Government Residential Houses, a territorial unit of the State Land Service shall, according to the current structure data registered in the Cadastre Information System, re-calculate and register the undivided shares of the individual property and the joint property of a residential property in the Cadastre Information System free of charge, if the amount of the undivided share of the joint property in the privatisation process of a residential house has not been calculated in accordance with Paragraph one of this Section.

[*17 November 2016* / *Paragraph six shall come into force on 1 December 2019. See Paragraph 2 of Transitional Provisions*]

**Section 6. Establishment and Founding of a Residential Property**

(1) A residential property may be established on the basis of law, a court judgment, transaction, including a will, or a decision of the house owner or if there is none – of the lawful possessor.

(2) The residential property shall be established by dividing a residential house put into service together with the auxiliary buildings, structures, and land belonging thereto. The entire residential house shall be concurrently divided into residential properties.

(3) The residential property shall be entered in the Land Register after putting of the residential house into service. A residential property shall be established upon the recording thereof in the Land Register.

[*6 July 2021*]

**Section 7. Expiration of a Residential Property**

A residential property shall expire if it has been destroyed or is being altered into a different property on the basis of law, a court judgment, transaction, including a decision of apartment owners or a will.

**Chapter II**

**Apartment Owner, His or Her Rights, Obligations and Accountability**

**Section 8. Apartment Owner**

(1) An apartment owner shall be a person who has acquired a residential property and has corroborated ownership rights in the Land Register.

(2) Until the initial registration of a residential property in the Land Register, all norms of this Law that determine the rights, obligations, and liability of a residential property owner shall apply to the acquirer of the residential property, except for such rights specified in the Law which the acquirer of the residential property acquires only after registration of the residential property in the Land Register.

[*17 November 2016*]

**Section 9. Rights of an Apartment Owner**

As regards the residential property, an apartment owner has complete right of control, including the following rights:

1) to possess and use his or her residential property, obtain benefits therefrom, use it at his or her own discretion for the propagation of property, and generally use it in every way, insofar as the owner is not restricted by laws and insofar as it does not create disturbances for other apartment owners;

2) to alienate, including give as a gift, a residential property;

3) to pledge and otherwise burden a residential property with property rights;

4) to transfer the residential property for use to other persons;

5) to lodge family members and other persons in the residential property;

6) to participate in the administration of the residential house;

7) to use the existing joint property share, insofar as limitations of use are not specified by decisions taken by the community of apartment owners in accordance with the procedures laid down in this Law.

**Section 10. Obligations of an Apartment Owner**

(1) An apartment owner has the following obligations:

1) to participate in the administration of the residential house;

2) to cover the administration expenditures of the residential house in accordance with the procedures laid down in Section 13 of this Law;

3) to settle accounts for the received services which are related to the use of the residential property (for example, heating, cold water, sewerage, and removal of household waste);

4) to pay the taxes imposed on the residential property;

5) to make a land lease payment or the lawful use payment for the right to use land if the residential house is situated on the land belonging to another person;

6) to treat with care the existing joint property share, complying with the conditions for its use, and also all the sanitary and fire safety requirements and other requirements laid down in laws and regulations in order not to cause harm to the safety and health of other persons, the quality of the surrounding environment, and to ascertain that these provisions and conditions are complied with by the persons lodged in his or her residential property;

7) to ensure the possibility for specialists authorised by the community of apartment owners or the administrator to perform such activities in the residential property which are necessary for the installing and normal functioning of communications, building structures and other elements related to the exploitation of the residential house, and also provide the possibility to inspect an individual property;

8) to execute the decisions taken by the community of apartment owners;

9) to conform to the restrictions on the right to use residential properties stipulated by the community of apartment owners;

10) upon alienating a residential property, to inform the acquirer of the residential property of such liabilities not fulfilled by the apartment owner which apply to the use of the residential property;

11) to submit a document certifying the residential property rights to the administrator of the residential house or a person who is keeping the house file according to the provisions of the administration contract;

12) to provide financing for the fulfilment of liabilities of the community of apartment owners towards third persons according to the undivided share of the joint property included in his or her residential property.

(2) The acquirer of the residential property has an obligation to settle accounts for the payments indicated in Paragraph one, Clauses 2, 3, 5, and 12 of this Section in relation to a residential property acquired as a result of an auction from the day when the court ruling on the approval of the auction act has entered into effect.

(3) If a residential property is alienated, the participants to the transaction shall, without delay, notify the administrator of the residential house in writing of the change of the apartment owner. The acquirer of the residential property shall, after conclusion of the transaction, submit a document certifying the ownership rights to the administrator of the residential house or the person who is keeping the house file according to the provisions of the administration contract.

[*17 November 2016; 16 December 2021; 17 March 2022*]

**Section 11. Right of an Apartment Owner to Perform Construction Work**

(1) An apartment owner has the right to perform construction work in an individual property, insofar as it does not affect the existing joint property shares or other residential properties, without having to coordinate with other apartment owners, but in conformity with the requirements of laws and regulations.

(2) An apartment owner has the right, in conformity with the requirements of laws and regulations, to renew the enclosing windows and doors of the individual property without coordinating with other apartment owners, unless the community of apartment owners has decided otherwise.

(3) If the construction work in the individual property affects the existing joint property share, it shall be necessary for the apartment owner to receive a consent of the community of apartment owners in accordance with the procedures laid down in this Law or if the construction work affects only an individual residential house – a consent of the apartment owners of the individual residential house.

(4) If the construction work in the individual property affects another individual property, it shall be necessary for the apartment owner to receive a consent of the relevant apartment owner.

(5) In order to ensure the accessibility of the dwelling and the environment for an apartment owner or his or her family member, the apartment owner has the right in conformity with the construction requirements, and also by informing the community of apartment owners (the administrator of the residential house) in advance:

1) to install a stairlift in the stairwell of the residential house;

2) to construct a wheelchair ramp at the entrance in the residential house or at the residential property if it has a separate entrance;

3) to perform adaptation of another kind of the existing joint property share of the residential house in order to ensure the accessibility of one’s dwelling and the environment.

[*6 July 2021*]

**Section 11.1 Right of Apartment Owners of an Individual Residential House to Suggest Construction and to Perform Construction Work**

If several residential houses are situated on a land parcel in the joint property of residential owners, construction work may be performed or construction may be suggested in an individual residential house, insofar as it does not affect the land parcel of other individual residential houses and does not change the undivided share of the joint property, by such apartment owners the individual properties belonging to whom are situated in this residential house.

[*6 July 2021*]

**Section 12. Right of First Refusal of Apartment Owners**

(1) Upon alienating a residential property, the other apartment owners of the relevant residential house do not have the right of first refusal or redemption right, except for the cases where the community of apartment owners has taken a decision thereon in accordance with the procedures laid down in this Law and an entry has been made in the Land Register regarding the existence of right of first refusal.

(2) The right of first refusal shall be exercised in accordance with the procedures laid down in the Civil Law.

**Section 13. Covering of Administration Expenditures of a Residential House**

(1) An apartment owner shall, according to the existing joint property share included in his or her residential property, cover the expenditures specified on the basis of a decision of the community of apartment owners for the performance of the mandatory administration activities of the residential house, and also the remuneration to the administrator stipulated by the community of apartment owners for the administration of the residential house, if such has been provided for in the residential house administration contract.

(2) An apartment owner shall, according to the existing joint property share included in his or her residential property, cover the expenditures specified on the basis of a decision of the community of apartment owners cover for the performance of other administration activities of the residential house which ensure improvement and development of the residential house, promote the formation of optimal administration expenditures thereof, and apply to:

1) the changing of elements, installations, or communications which are in the joint property of the residential house, if such changing results in reduction of the maintenance costs of the house;

2) measures which result in reduction of expenditure for services related to the use of the residential property;

3) measures as a result of which the fulfilment of the environmental accessibility requirements is promoted.

(21) An apartment owner shall, according to the existing joint property share included in his or her residential property, make the monetary payments specified on the basis of a decision of the community of apartment owners into the savings fund for the perfomance of administration activities of the residential house provided for in Paragraphs one and two of this Section. In taking the abovementioned decision, the community of apartment owners shall assess the documents justifying the performance of the relevant activities and their costs.

(22) The procedures for the making and use of the monetary payments referred to in Paragraph 2.1 of this Section shall be determined by the community of apartment owners.

(3) Upon taking the decision referred to in Paragraph two of this Section, the community of apartment owners shall evaluate the documents justifying the cost-effectiveness of the relevant activities in accordance with that specified in Paragraph two, Clauses 1 and 2 of this Section.

(4) If several residential houses are situated on a land parcel in the joint property of apartment owners, the monetary payments in the savings fund for the performance of administration activities of the individual residential house provided for in Paragraphs one and two of this Section shall be made and also the administration expenditures which are related to construction or repair costs in an individual residential house shall be covered by such apartment owners the individual properties belonging to whom are situated in this residential house.

[*17 November 2016; 6 July 2021*]

**Section 14. Accountability of an Apartment Owner**

(1) An apartment owner shall be liable for the losses caused to other apartment owners or other persons according to the procedures laid down in the laws and regulations, decisions of the community of apartment owners, or mutually entered into contracts.

(2) If an apartment owner does not have other property to cover losses, recovery may be directed against the residential property in accordance with the procedures laid down in the Civil Procedure Law, concurrently evicting the apartment owner, his or her family members, and other persons lodged in the residential property.

(3) A residential property may be alienated in accordance with the procedures laid down in the Civil Procedure Law, concurrently evicting the apartment owner, his or her family members, and other persons lodged in the residential property, if the apartment owner, a member of his or her family, or another person lodged in the residential property violates the requirements of the laws and regulations which apply to the use of the residential property, including sanitary and fire safety norms, and, thus, causes harm to the safety and health of other persons, the quality of the surrounding environment.

(4) The request for the alienation of a residential property in the cases specified in Paragraph three of this Section may be raised by the community of apartment owners or any apartment owner.

[*17 March 2022*]

**Chapter III**

**Community of Apartment Owners**

**Section 15. Community of Apartment Owners**

(1) The community of apartment owners shall constitute a legal entity. It may obtain rights and assume liabilities, acquire ownership rights and other property rights, and also act as a claimant and defendant before court within the scope of the competence specified in Section 16 of this Law.

(2) The community of apartment owners shall be liable for its liabilities with its property. If apartment owners settle accounts with a creditor of the community directly, apartment owners who have failed to settle relevant accounts shall be the first to be liable for the liabilities of the community according to the undivided share of the joint property included in their residential property towards the creditor of the community.

(3) The composition of the community of apartment owners shall include all apartment owners of the relevant residential house. If several residential houses are situated on a land parcel in the joint property of apartment owners, the community of apartment owners shall consist of the apartment owners in all these residential houses.

(4) If residential properties in a residential house belong to one person, he or she has the rights and obligations of the community of apartment owners provided for in the law.

[*17 March 2022*]

**Section 15.1 Representatives of the Community of Apartment Owners**

(1) The community of apartment owners shall be represented by an administrator in relations with third persons and before court insofar as it is necessary for the performance of administrative activities assigned by the community of apartment owners, unless the community of apartment owners is represented by its authorised person in a specific case. Outside the assigned administrative activities or in the case where a loan agreement has been entered into, the administrator is only entitled to represent the community of apartment owners on the basis of an individual decision of the community.

(2) The community of apartment owners shall be represented by its authorised person in relations with the administrator.

(3) If the community of apartment owners is not represented by the administrator and the community of apartment owners has not authorised another person to represent it, including in the cases indicated in Paragraph two of this Section, the community of apartment owners shall be represented by all apartment owners.

(4) If the community of apartment owners is represented by all apartment owners, they have an obligation to authorise a joint representative for conducting a matter before a court. If apartment owners fail to inform a court (judge) of its joint representative within the time period set by the court (judge), the court (judge) shall appoint a representative from amongst them upon hearing the apartment owners.

(5) The representatives of the community of apartment owners indicated in this Section are entitled to represent the community with the rights of lawful representatives.

(6) The administrator or the authorised representative of the community shall not be liable for the liabilities of the community with his or her property, except for the case where he or she has directly agreed to that in writing.

[*17 March 2022*]

**Section 15.2 Property of the Community of Apartment Owners**

(1) Property of the community of apartment owners shall constitute the following:

1) the funds paid by apartment owners but not yet transferred to service providers for the purpose of covering payments for the services necessary for the maintenance of a house (public utility services);

2) the contributions made by apartment owners to the savings fund;

3) the right to claim against apartment owners in respect of payments for administrative activities in a residential house (administration expenditures), payments for the services necessary for the maintenance of a house (public utility services), and payments into the savings fund (savings) of the community of apartment owners and claims against third persons;

4) other movable and immovable property obtained.

(2) Change in apartment owners constituting the community of apartment owners shall not affect the ownership of property to the community of apartment owners.

(3) The income obtained from economic activity of the community of apartment owners may, according to a decision of the community of apartment owners, be used only for the following purposes:

1) to make payments for the administrative activities in a residential house;

2) to fulfil liabilities of the community of apartment owners to third persons;

3) to make contributions to the savings funds of the community of apartment owners;

4) to cover expenditures related to the assumption of rights and liabilities, acquisition of ownership rights and other property rights if they affect matters within the competence of the community of property owners;

5) to meet tax obligations, pay a fine, and make other equivalent payments.

[*17 March 2022*]

**Section 15.3 Rights and Obligations of the Community of Apartment Owners when Performing an Economic Activity or Employing a Natural Person**

(1) The community of apartment owners has the right to perform an economic activity within the scope of the competence thereof (for example, lease a share of the joint property) in conformity with the obligations specified in this Law and other laws and regulations, including those governing accounting and taxes, and exercising the rights laid down therein.

(2) Prior to commencing an economic activity, the community of apartment owners has an obligation to register with the State Revenue Service as a taxpayer. The administrator shall register the community of apartment owners as a taxpayer. If the community of apartment owners is not represented by the administrator, it has an obligation to designate an authorised person who will register the community of apartment owners with the State Revenue Service as a taxpayer.

(3) The community of apartment owners which does not perform an economic activity but employs a natural person who has not been registered as a performer of economic activity shall register with the State Revenue Service as a taxpayer (employer). The administrator shall register the community of apartment owners as a taxpayer. If the community of apartment owners is not represented by the administrator, it has an obligation to designate an authorised person who will register the community of apartment owners with the State Revenue Service as a taxpayer.

(4) If the community of apartment owners performs an economic activity or employs a natural person who has not been registered as a performer of economic activity, it has an obligation to maintain accounting records in accordance with the procedures laid down in the laws and regulations regarding accounting insofar as it has not been laid down otherwise in this Law. In such case, it has an obligation to prepare, audit, and submit an annual financial statement in accordance with the procedures laid down in respect of associations performing administrative activities of a residential house in general or individual administrative activities.

(5) The community of apartment owners which does not perform an economic activity but employs a natural person who has not been registered as a performer of economic activity shall be considered an employer with respect to this natural person.

(6) The community of apartment owners shall approve the annual financial statement of apartment owners. If the community of apartment owners has failed to approve the annual financial statement within the time period set by the administrator which may not be shorter than 30 days, it shall be deemed as approved.

(7) The rights and obligations of the head of an enterprise laid down in the laws and regulations regarding accounting, the rights and obligations of the employer laid down in the laws and regulations, and also the rights and obligations laid down in the laws and regulations regarding taxes shall be implemented by the administrator, but if there is none, by the authorised person of the community of apartment owners.

(8) In the field of tax law and administrative liability, the community of apartment owners shall be considered a legal person, but the administrator – its board member. If there is no administrator, a representative authorised by the community of apartment owners or, if there is no such person, all apartment owners shall be considered a board member. Recovery of the debts of tax payments and enforcement of the administrative fine of the community of apartment owners shall be brought against the property of the community of apartment owners. If the property of the community is not sufficient to pay the debts of tax payments and cover the administrative fine, each apartment owner shall provide financing and ensure payment of the debts of tax payments and administrative fine according to the undivided shares of the joint property included in his or her residential property.

[*17 March 2022*]

**Section 16. Competence of the Community of Apartment Owners**

(1) The community of apartment owners has the right to decide any matter which relates to the existing joint property share. In entering into a relevant contract, the community of apartment owners may authorise the administrator or the authorised person of the community of apartment owners to decide on a matter within the competence of the community, except for the matters referred to in Paragraph two of this Section.

(2) Only the community of apartment owners has the right to take a decision on the following:

1) the alteration of the existing joint property share (increasing, decreasing);

2) the specification of the procedures for the use of the existing joint property share between apartment owners;

21) the procedures for the reconstruction and restoration of the elements of the joint property of the residential house within the limits of the individual property;

3) the establishment and revoking of the right of first refusal of apartment owners;

4) the granting and revoking of authorisations;

5) the determination of the restrictions on the rights of use in conformity with the requirements of laws and regulations, including in relation to the installation construction, or relocation of equipment and facilities for water supply, sewage, public electronic communications networks, thermal energy, electricity, and gas supply;

6) the transfer for use of the existing joint property share;

7) the form of administration of the existing joint property share;

8) the assigning of individual or all administration activities of the residential house to the administrator and the revocation thereof;

9) the procedures for the determination and payment of the management expenditures of the residential house;

91) the changes in the area of common premises in the joint property;

10) other matters which the community of apartment owners has specified as such that only fall within the competence of the community of apartment owners.

(3) A decision of the community of apartment owners shall be binding on all apartment owners and shall be taken if the apartment owners who represent more than a half of the residential properties of the residential house have voted “for”, except where another number of votes necessary for taking a decision has been provided for in Section 17 of this Law or a larger necessary number of votes has been stipulated by the community of apartment owners itself.

(4) A court may, on the basis of an application by an apartment owner, declare a decision taken by the community of apartment owners as invalid if the decision or the procedures for its taking are in contradiction with the provisions of this Law. An action may be brought within three months from the day when the respective person became aware or should have become aware of the decision of the community of apartment owners, but not later than one year from the day of taking the decision.

[*17 November 2016; 21 January 2021; 6 July 2021; 17 March 2022*]

**Section 17. Conditions for Decision-Making of a Community of Apartment Owners**

(1) Upon taking a decision of a community of apartment owners, each apartment owner shall have as many votes as there are apartments in his or her ownership.

(2) If one apartment owner owns more than a half of the apartments existing in the residential house, when voting he or she shall have 50 per cent of the votes of all votes of apartment owners.

(3) If a residential property belongs to two or more joint owners, they shall authorise one person to represent all apartment owners and shall have one vote when voting.

(4) When authorising another person to represent his or her interests in the community of apartment owners, an apartment owner shall draw up a written authorisation thereof.

(41) An apartment owner may authorise another person for the representation of his or her interests in the decision-making by the community of apartment owners or to revoke the authorisation granted in the Construction Information System, using the electronic service created for this purpose in the Construction Information System. The apartment owner shall sign the authorisation using a secure electronic signature or the electronic signing tool available within the electronic service in the Construction Information System.

(42) If an apartment owner has granted an authorisation without using the Construction Information System, the person keeping the house file shall, upon request of the apartment owner, register the authorisation in the Construction Information System and reflect the scope of the authorisation. When registering an authorisation, the person keeping the house file shall upload it into the Construction Information System.

(5) In order to take a decision on the matters referred to in Section 16, Paragraph two, Clause 1 of this Law, it shall be necessary that all apartment owners vote “for”.

(6) In order to take the decision on the establishment of the right of first refusal referred to in Section 16, Paragraph two, Clause 3 of this Law, it shall be necessary that all apartment owners vote “for”. In order to take the decision on deletion of the entry on the right of first refusal from the Land Register, it shall be necessary that apartment owners who vote “for” represent more than a half of all apartment properties.

(7) [21 January 2021]

(71) In order to take a decision on the matters referred to in Section 16, Paragraph two, Clause 2 of this Law, it shall be necessary that apartment owners who vote “for” represent at least three-fourths of all apartment properties. In order to take a decision on the installation of a traffic sign, creation of a parking lot for persons with disability or a parking lot for electric vehicles if a charging point for electric vehicles is being installed at the same time, apartment owners representing more than half of all residential properties need to vote “for”.

(8) [17 November 2016]

(9) [21 January 2021]

[*17 November 2016; 21 January 2021; 31 March 2022*]

**Section 18. Procedures for Decision-Making of a Community of Apartment Owners**

(1) The procedures and manner of decision-making of a community of apartment owners shall determined by the community of apartment owners, in conformity with the provisions of this Law.

(2) The community of apartment owners may take decisions on the matters within the competence thereof as follows:

1) at a general meeting of apartment owners (Section 19);

2) without convening a general meeting of apartment owners – by means of a questionnaire (hereinafter – by means of a questionnaire) (Section 20);

3) upon mutual agreement of another kind (Section 21).

(3) All decisions of the community of apartment owners shall have equal legal force regardless of the manner referred to in Paragraph two of this Section in which they were taken.

(4) The community of apartment owners may specify which matters may only be decided at a general meeting of apartment owners.

(5) All decisions taken by the community of apartment owners shall be drawn up in writing.

(6) A decision of the community of apartment owners shall be sent to the administrator within a reasonable period of time, but not later than within one month from the day of taking the decision.

[*17 November 2016; 31 March 2022*]

**Section 19. Procedures for the Convening of and Procedural Requirements for a General Meeting of Apartment Owners**

(1) A general meeting of apartment owners shall be convened upon initiative of one or more apartment owners or the administrator (hereinafter – the organiser of the general meeting). The procedures for the convening of and procedural requirements for a general meeting of apartment owners, also using electronic online means of communication, shall be determined by the community of apartment owners.

(2) [31 March 2022]

(3) [31 March 2022]

(4) Every apartment owner shall be invited, in writing or according to other procedures stipulated by the community of apartment owners, to a general meeting of apartment owners not later than seven days in advance. The invitation shall include the place, time, and agenda of the general meeting.

(5) Apartment owners have the right to give their vote before the general meeting of apartment owners by submitting it in writing to the organiser of the general meeting or by giving their votes in the Construction Information System if the general meeting of apartment owners is convened, using the functionality of the Construction Information System.

(6) An apartment owner who has voted before the general meeting of apartment owners is entitled to participate in the general meeting and vote there. The vote of the apartment owner given before the general meeting is annulled if the same apartment owner is participating in the general meeting and votes there. If an apartment owner who has voted before the general meeting is participating in the general meeting but does not vote there, the vote given by the apartment owner before the general meeting shall be taken into account.

(7) The organiser of the general meeting shall register those apartment owners in the participant registration list who have given their votes before the general meeting of apartment owners and are not participating in the general meeting, and also those apartment owners who are participating in the general meeting of apartment owners in person and the apartment owners who are using electronic online means of communication to participate in the general meeting. Apartment owners participating in the general meeting of apartment owners in person or using electronic online means of communication to participate in the general meeting shall elect the chairperson and the minute-taker of the general meeting.

(8) A general meeting of apartment owners shall have a quorum if the apartment owners registered in the participant registration list represent more than half of all residential properties participate therein.

(9) The minutes of the general meeting of apartment owners shall be prepared by specifying the vote of each apartment owner – “for” or “against” – on every matter included in the agenda of the general meeting.

(10) The minutes of the general meeting of apartment owners shall be signed by the chairperson and the minute-taker of the general meeting unless the community of apartment owners has decided otherwise. If the general meeting of apartment owners is convened, using the Construction Information System, the organiser of the general meeting shall, within 14 days, ensure the preparation of the minutes and the minutes shall be signed by the chairperson and the minute-taker of the general meeting.

(11) The preparation of the minutes of the electronic general meeting of apartment owners shall be ensured by the organiser of the general meeting, using the functionality of the Construction Information System. The prepared minutes of the electronic general meeting shall be signed, within seven days, by the chairperson and the minute-taker of the general meeting, using the electronic signing tool available within the electronic service in the Construction Information System.

(12) The organiser of the general meeting shall notify all apartment owners that the minutes of the general meeting have been prepared. The community of apartment owners itself shall determine the procedures for receiving the notification that the minutes of the general meeting have been prepared. If an apartment owner, within 14 days after the general meeting, has not expressed to the organiser of the general meeting any objections against the vote of the apartment owner indicated in the prepared minutes of the general meeting on a matter included in the agenda of the general meeting, it shall be considered that the apartment owner has agreed that the vote indicated corresponds to his or her vote at the general meeting. Apartment owners have the right to give objections, using the functionality of the Construction Information System.

[*31 March 2022*]

**Section 20. Decision-Making of a Community of Apartment Owners, without Convening a General Meeting of the Community of Apartment Owners**

(1) Apartment owners have the right to take decisions by means of a questionnaire unless the community of apartment owners has specified that the relevant matter shall only be decided at a general meeting of apartment owners.

(2) If a decision is taken by means of a questionnaire, the apartment owner, a person stipulated by the community of apartment owners, or the administrator (hereinafter – the organiser of the questionnaire) shall, in writing, send to each apartment owner the draft decision on the matter to be decided and the documents which are related to taking of the decision, and also indicate the time period within which the apartment owner can vote in writing “for” or “against” taking of the relevant decision. The time period shall not be shorter than 14 days or longer than 180 days from sending of the draft decision. If the apartment owner has not replied in writing within the specified period, it shall be considered that he or she has voted against taking of the decision.

(3) The organiser of the questionnaire shall prepare a voting report on the results of voting and, within five working days, send it to all apartment owners. The voting report shall indicate the following:

1) the date when the draft decision was sent and the time limit within which the apartment owners had to vote;

2) the decision taken and the voting results related thereto;

3) upon a request of apartment owners – the content of differing opinions;

4) other significant information on the voting.

(4) If any of apartment owners so requests, the apartment owner, a person specified by the community of apartment owners, or the administrator shall provide the voting results of other apartment owners.

(5) The procedures by which the community of apartment owners shall take decisions by means of a questionnaire shall be determined by the community of apartment owners.

(6) The organiser of the questionnaire shall, within 14 days, add the voting report to the house file in the Construction Information System with the vote of each apartment owner – “for” or “against” – on each matter included in the questionnaire.

(7) If decisions are taken by means of a questionnaire, the functionality of the Construction Information System may be used, applying the procedures and time periods referred to in this Section.

(8) If decisions by means of a questionnaire are taken in accordance with the procedures laid down in Paragraph seven of this Section, an apartment owner shall use the electronic signing tool available within the electronic service in the Construction Information System when voting. The community of apartment owners shall determine the procedures by which those apartment owners shall vote who do not have the opportunity to give their vote, using the functionality of the Construction Information System.

[*17 November 2016; 31 March 2022*]

**Section 20.1 Data of Apartment Owners Required in the Decision-Making Process by the Community of Apartment Owners**

The data identifying an apartment owner (for a natural person – the given name, surname, personal identity number; for a legal person – the name, registration number), and also the data on the address of the individual property and the undivided shares and cadastre number of the apartment property belonging to the apartment owner shall be provided for the decision-making by the community of apartment owners in the Construction Information System free of charge, using State information systems.

[*31 March 2022*]

**Section 21. Decision-Making of a Community of Apartment Owners by Mutual Agreement of Another Kind**

(1) A mutual agreement between all apartment owners shall be accepted as the decision of the community of apartment owners.

(2) If all apartments in a residential house belong to one person, his or her decision shall be considered as the decision of the community of apartment owners.

(3) The mutual agreement accepted by apartment owners shall be added to the house file in the Construction Information System within 14 days.

[*31 March 2022*]

**Section 22. Decision-making Procedures in an Individual Residential House**

If several residential houses are situated on a land parcel in the joint property of apartments owners, the issues referred to in Section 11, Paragraph three and Section 11.1 of this Law shall be decided in conformity with the provisions of Sections 17, 18, 19, 20, and 21 of this Law. The number of votes necessary for decision-making shall be calculated, taking into account the number of apartment properties in an individual residential house.

[*6 July 2021*]

**Transitional Provisions**

[*17 November 2016*]

1. With the coming into force of this Law, the law On Residential Properties (*Latvijas Republikas Saeimas un Ministra Kabineta Ziņotājs*, 1996, No. 1; 1997, No. 4; 1998, No. 23; 2001, No. 24; 2004, No. 9; 2009, No. 24) is repealed.

[*17 November 2016*]

2. Amendment regarding the supplementation of Section 5 of this Law with Paragraph six (regarding the re-calculation of the undivided shares of the individual and joint property of a residential property if, during the privatisation process of the residential house, the undivided shares of the joint property have not been calculated in accordance with Section 5, Paragraph one of this Law) shall come into force concurrently with amendments made to the State Immovable Property Cadastre Law and the Land Register Law providing for the updating of the re-calculated undivided shares of the individual and the joint property of the residential property in the Land Register.

[*17 November 2016*]

3. The new wording of Section 3, Paragraph one of this Law (regarding registration of the individual property as a building unit in the State Immovable Property Cadastre Information System) shall not apply to such residential properties that have been registered in the State Immovable Property Cadastre Information System until 31 December 2016.

[*22 June 2017*]

4. Amendment to Section 4, Paragraph one, Clause 1 of this Law (regarding the replacement of the words “residential house” with the words “individual residential house”) shall not apply to such residential properties which have been registered in the State Immovable Property Cadastre Information System until 31 December 2016, and also to such residential houses which have been recorded in the Land Register or for the construction of which a construction permit has been issued until 31 December 2016.

[*22 June 2017*]

5. Until the moment when a separate law comes into force prescribing the division of non-residential buildings, i.e. office buildings, and also other non-residential buildings, if at least three apartments are built in such non-residential building, into individual properties, the provisions of this Law shall also be applicable to non-residential buildings, i.e., office buildings registered in the Cadastre Information System, and also other non-residential buildings with at least three apartments built, if groups of premises conforming to Section 3, Paragraph one of this Law have been established therein. This Paragraph shall not apply to non-residential buildings which have been built on the grounds of the right of superficies.

[*6 July 2021*]

6. The lawful use payment provided for in Section 10, Paragraph one, Clause 5 of this Law for the right to use land (shall come into force on 1 January 2022) shall be paid to the land owner for the first quarter of 2022 by 31 March 2022 unless an agreement on other payment procedures has been entered into with the land owner.

[*16 December 2021*]

7. The community of apartment owners which performs an economic activity or employs a natural person who has not been registered as a performer of economic activity has an obligation to register with the State Revenue Service as a taxpayer within six months from the day of coming into force of Section 15.3 of this Law.

[*17 March 2022*]

8. Until the moment of coming into force of the amendments to laws and regulations determining registration of taxpayers with the State Revenue Service, the State Revenue Service shall register communities of apartment owners with the Register of Taxpayers in accordance with the general procedures.

[*17 March 2022*]

9. From 1 May 2022, authorisation documents submitted into the Construction Information System shall be additionally certified, using a qualified electronic seal within the meaning of Article 3(27) of Regulation No 910/2014 and a time stamp within the meaning of Article 3(33) of Regulation No 910/2014 created by the principal activity information system.

[*31 March 2022*]

The Law shall come into force on 1 January 2011.

The Law was adopted by the *Saeima* on 28 October 2010.

President V. Zatlers

Rīga, 17 November 2010