

Service-Public.fr

Le site officiel de l'administration française

This page has been automatically translated. Please refer to the page in French if needed.

Condominium settlement

Verified 28 July 2022 - Legal and Administrative Information Directorate (Prime Minister)

The condominium by-law is a written document that defines the rules of operation of the building and specifies the rights and obligations of the co-owners and their tenants. The co-ownership trustee must ensure that the co-ownership rules are respected or risk liability.

What is a condominium settlement?

The condominium by-law is a written document that defines the organisation and operation of the condominium and specifies the rights and obligations of the co-owners and their tenants.

This is a required document for condominium.

Condominium settlement is required for co-owners and their tenants. The condominium trustee (<https://www.service-public.fr/particuliers/vosdroits/F2608?lang=en>) incur liability.

must ensure compliance with the co-ownership rules or

When is the condominium regulation written?

Most often, the settlement of the condominium is made at the time the building is put into condominium, that is, when it is divided into lots.

What should the condominium settlement contain?

Practice rules

The condominium by-law sets out the rules of life within the building, including:

- private parties (<https://www.service-public.fr/particuliers/vosdroits/F31512?lang=en>) (no hanging of laundry on windows, limited work on certain days and hours...)
- Terms of Use common areas (use of the garage of the bicycle storage room...)
- Terms of Use special communal areas and common areas for private use if they exist

FYI

The condominium by-law may impose restrictions on the rights of co-owners if justified by purpose of building. For example, the condominium settlement may prohibit the division of condominium lots. It can also predict, in case of sale of a lot, the purchase is offered first to the other joint owners (<https://www.service-public.fr/particuliers/vosdroits/F31531?lang=en>).

Management Rules

The co-ownership rules determine the organisation of the co-ownership, for example:

- charges (<https://www.service-public.fr/particuliers/vosdroits/F2590?lang=en>) establishing quotas each between co-owners and method of calculation for
- Rules for administering common areas
- Description of Division of the Building Identifying Each condominium batch by number followed by information on each of them (private lot inventory)

FYI

The description may be independent of the condominium regulation (in this case it is annexed).

Who is responsible for ensuring compliance with the co-ownership rules?

The trustee must ensure compliance with the provisions of the co-ownership settlement. For example, in case of nuisance (noise (<https://www.service-public.fr/particuliers/vosdroits/F612?lang=en>), smell (<https://www.service-public.fr/particuliers/vosdroits/F19299?lang=en>)), the trustee must notify the person concerned by mail to remind him or her of the rules provided for in the condominium regulations. If he does not, an action against the trustee may be brought. This requires a vote in the general assembly.

If the co-ownership settlement is not respected, the co-owner union or trustee or any co-owner may make an appeal to the court of the place where the property is situated (<https://www.service-public.fr/particuliers/vosdroits/F20851?lang=en>). Before that, however, mediation must be initiated.

Where to check the condominium rules?

Co-owner

At the time of the deed of purchase, the co-owner of batch receives a copy of the co-ownership settlement and the trustee has a copy.

In case of loss of the joint ownership settlement, it is possible to obtain a copy from another co-owner, including a member of the union council (<https://www.service-public.fr/particuliers/vosdroits/F2610?lang=en>).

If no one has been able to provide a copy of the regulation, please ask the trustee (<https://www.service-public.fr/particuliers/vosdroits/F2608?lang=en>). However, the latter is not obliged to accept, and may also provide for invoicing to provide this service (variable fees depending on the contract of trustee).

A copy of the condominium regulation can also be obtained from the Land Advertising Service. Copy costs **€30**.

The request must be made through a form. This form differs depending on the date of registration of the condominium settlement (before or after 1956).

Condominium settlement registered in 1956 or later

Copy of documents (deed of sale, donation, settlement of co-ownership...) registered after January 1, 1956 (<https://www.service-public.fr/particuliers/vosdroits/R47480>).

This form must be sent in 2 copies (single or registered mail) to the Land Advertising Service of the place where the accommodation is located.

Before 1956

Copy of documents (deed of sale, donation, condominium settlement...) registered before 1 January 1956 (<https://www.service-public.fr/particuliers/vosdroits/R47482>).

This form must be sent in 2 copies (single or registered mail) to the Land Advertising Service of the place where the accommodation is located.

Tenant

A copy of the condominium settlement is given to the tenant.

In case of loss of the condominium settlement, a copy can be obtained from the lessor.

If the lessor was unable to provide a copy of the settlement, it must be requested from the trustee (<https://www.service-public.fr/particuliers/vosdroits/F2608?lang=en>). However, the latter is not obliged to accept, and may also provide for invoicing to provide this service (variable fees depending on the contract of trustee).

A copy of the condominium regulation can also be obtained from the Land Advertising Service. Copy costs **€30**.

The request must be made through a form. This form differs depending on the date of registration of the condominium settlement (before or after 1956).

Condominium settlement registered in 1956 or later

Copy of documents (deed of sale, donation, settlement of co-ownership...) registered after January 1, 1956 (<https://www.service-public.fr/particuliers/vosdroits/R47480>).

This form must be sent in 2 copies (single or registered mail) to the Land Advertising Service of the place where the accommodation is located.

Before 1956

Copy of documents (deed of sale, donation, condominium settlement...) registered before 1 January 1956 (<https://www.service-public.fr/particuliers/vosdroits/R47482>).

This form must be sent in 2 copies (single or registered mail) to the Land Advertising Service of the place where the accommodation is located.

How do I change the co-ownership policy?

Update

All condominiums must bring the condominium regulation into line with the legislation in force.

Trustee must register to lang=en) agenda of the general assembly (<https://www.service-public.fr/particuliers/vosdroits/F2615?lang=en>) regulation into line with legislative developments.

the issue of bringing the

In particular, the trustee may incur liability if he fails to comply with this obligation.

The condominium regulations and any subsequent amendments are published by a notary at the land advertising service. This involves certain costs. The trustee may charge for the management of the amendment of the condominium regulation if the general meeting has entrusted him with this task.

It is recommended that you check what the trustee's contract includes. enquire about these fees.

This publication shall make the provisions of opposites to all. They are therefore imposed not only on joint owners and their tenants, but also on future buyers.

Majority Rules

A decision of the general meeting is required to amend the condominium regulations.

The nature of the vote of the co-owners differs depending on the cause of the change:

- Distribution of expenses
- Destination of the building
- Use of common areas
- Condominium settlement for compliance with legislative evolution

Distribution of expenses

Work Completion

The new burden-sharing procedure must be adopted by the same majority as the one on which the work was voted.

Purchase of a private part

The new distribution of expenses must be voted by the same majority as the one to which the purchase was voted.

Sale of a common part

The new distribution of expenses must be voted by the same majority as the one to which the sale was voted.

Change of use of a private part

The new burden-sharing shall be voted on at absolute majority "referred to in Article 25" (<https://www.service-public.fr/particuliers/vosdroits/F2137?lang=en>)

Change

Unanimity (<https://www.service-public.fr/particuliers/vosdroits/F2137?lang=en>)

is required.

Destination of the building

Unanimity (<https://www.service-public.fr/particuliers/vosdroits/F2137?lang=en>)

is required to modify destination of the building. This is the case, for example, in the case of the removal of a bourgeois housing clause to allow a professional activity in a dwelling place.

Use of common areas

double majority "referred to in Article 26" (<https://www.service-public.fr/particuliers/vosdroits/F2137?lang=en>)

is required.

Compliance with legislative developments

simple majority "referred to in Article 24" ([https://www.service-public.fr/particuliers/vosdroits/F2137?](https://www.service-public.fr/particuliers/vosdroits/F2137?lang=en)
The lang=en)

is required.

Statute and miscellaneous references

- Act No. 65-557 of 10 July 1965 fixing the status of co-ownership of built buildings (<http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=LEGITEXT000006068256>)
Articles 8, 10 to 14, 18, 26, 35
- Decree No. 67-223 of 17 March 1967 fixing the status of co-ownership of built buildings (<http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=LEGITEXT000006061423>)
Articles 1 to 4, 15, 55
- Act No. 89-462 of July 6, 1989 on rental reports: Article 3
(https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI000039369598/)
Communication of the co-ownership settlement to the tenant

FAQ

- How do I get a copy of a condominium regulation? ([https://www.service-public.fr/particuliers/vosdroits/F2127?](https://www.service-public.fr/particuliers/vosdroits/F2127?lang=en)
lang=en)
- What condition can I make a chimney fire at home? ([https://www.service-public.fr/particuliers/vosdroits/F32437?](https://www.service-public.fr/particuliers/vosdroits/F32437?lang=en)
lang=en)
- Change of trustee: what happens to the documents of the condominium? ([https://www.service-public.fr/particuliers/vosdroits/F31672?](https://www.service-public.fr/particuliers/vosdroits/F31672?lang=en)
lang=en)

Additional topics

- Condominium Documents ([https://www.service-public.fr/particuliers/vosdroits/N31339?](https://www.service-public.fr/particuliers/vosdroits/N31339?lang=en)
lang=en)
Service-Public.fr
- Condominium Settlement Folder (PDF)
(https://www.anil.org/fileadmin/ANIL/Editions_grand_public/serie_copropriete/le_reglement_de_copropriete.pdf)
National Housing Information Agency (Anil)
- Co-ownership (lot, private parts and common areas) (<https://www.inc-conso.fr/content/copropriete-definitions-dun-lot-des-parties-privatives-et-des-parties-communes>)
National Institute of Consumer Affairs (INC)