

The Linkage of Land register (LR) and the Book of deposited contracts (BDC)

The role of geodesy

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- The cause and the need to connect
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- Analysis of recorded data on buildings in official registers for two managers
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Introduction

- The role of geodesy in the process of integration
- The current discrepancy of constructed dwellings in nature (solidarity flats) with data entered in LP and BDC
- LR and BDC integration
- Analyzing the recorded data on buildings to the Executive integration plan
- The engagement of private companies in the process of integration and the improvement of data quality

The cause and the need to connect

.The cause

- Solidarity flats (the 1980s)
- Sale (repurchase) of dwellings with tenancy rights
- Discrepancies of the building data in official registers – distrust in Land registers

.The necessity to connect

- Adapting the regulations to overcome the problem
 - Creating the Book of Deposited Contracts
 - Real Estate Management / Managers
- Prerequisite connectivity: achieving full coherence with Land register state for a certain cadastral plot with cadastral data
- Complete confidence in LR (2015)

Regulations

- Law on Apartment Sale with Tenancy Rights (Official Gazette 27/1991)
- Rules on the BDC organization and management
- The Act of Ownership and Other Proprietary Rights (OG 91/1996)
- Act on Amendments to the Act of Ownership and Other Proprietary Rights (OG 153/2009),
- Land Register Law (OG 91/1996),
- The Law of Higher Geodesy and Cadastre of Real Estate
- Regulations on connecting the LR and BDC (OG 60/2010).

Regulations (OG 60/2010)

Property linking: registration of separate parts of buildings with common parts and the front land (the buildings built before January 1st 1997): **floor study in not made**

- Launch of the joining procedure of BDC i LR:
- Object linking: unregistered real estate built before 1st January 1997
- Run by : managers or any of the co-owners
- Full coherence obligatory
- Proof that the building plot exists, Cadastral register extract, identification, owner contract/list of specific parts, data on sub-files, documents
- Discussion and adoption of the Solution of integration

- A comprehensive data analysis of constructed buildings (Cadastral register, LR, BDC) is inevitable
- Most of data needed for connecting are within the jurisdiction of State Geodetic Directorate Ministry of Justice
- Analysis as the basis of initiating procedure of LR and BDC integration (the managers' incompetence)
- Geodesy is essential in gathering and making special documents for procedure startup
- Subdivision studies
- Geodetic studies
- Identification

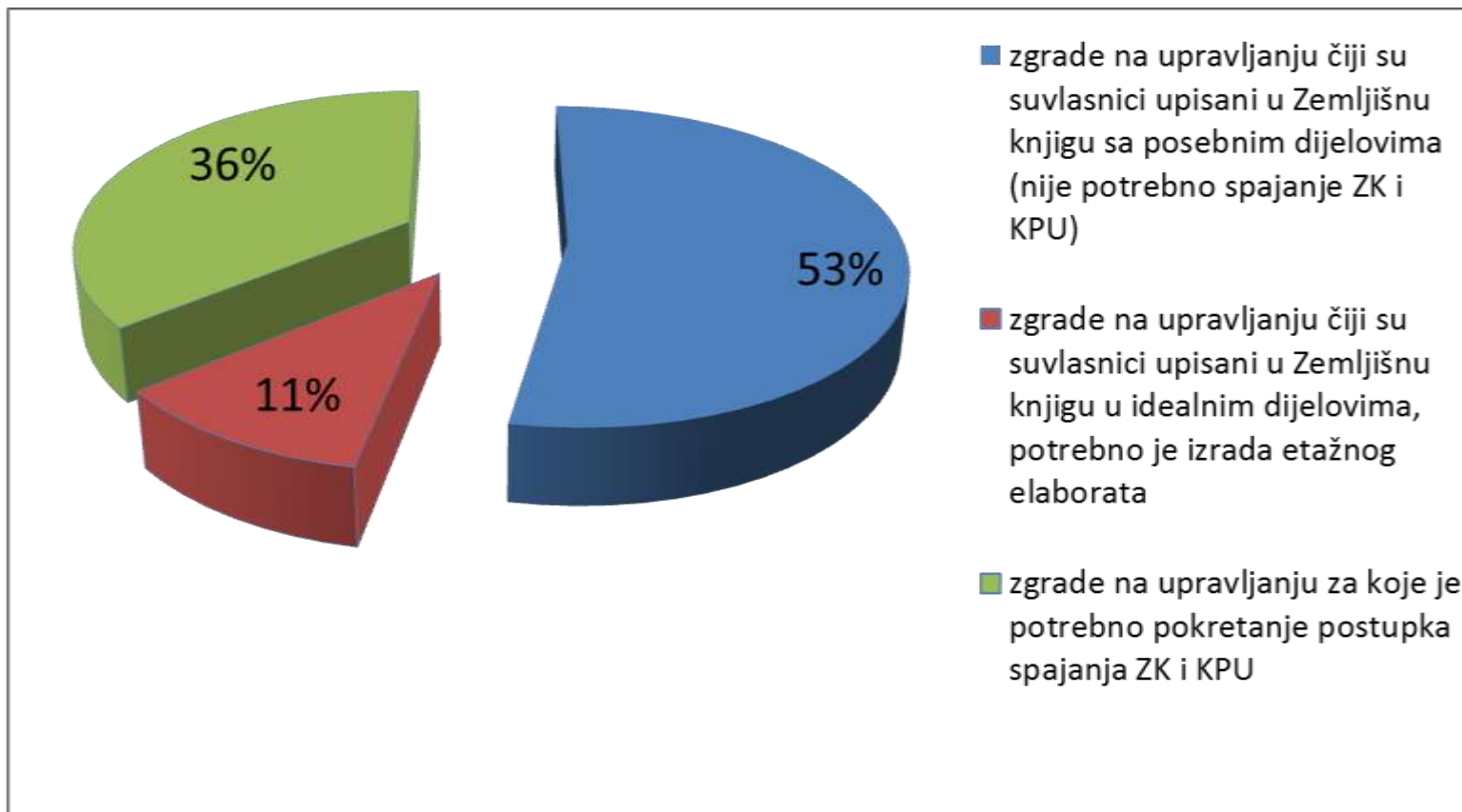
Analysis of recorded data on buildings in the official registers with two managers

Analyzed data from official register of buildings managed by two companies: Pazin Ltd. and Stan Ltd. (more than 600 buildings)

- Data for analysis are available on the internet: arkod.hr, katastar.hr, pravosudje.hr, as well as data taken from competent cadastre office
- Data on cadastre plot where the buildings are built served to establish the pre-activities needed to start with the merging of LR and BDC

- Special actions were determined for each building: drafting appropriate geodetic studies (subdivision, mapping), identification of cadastral plots in cases of dual cadastral surveys in force
- Land register files from LR were linked with sub-files in BDC
- Descriptive map with charted buildings was drafted
- The Executive plan for the Managers was made easier

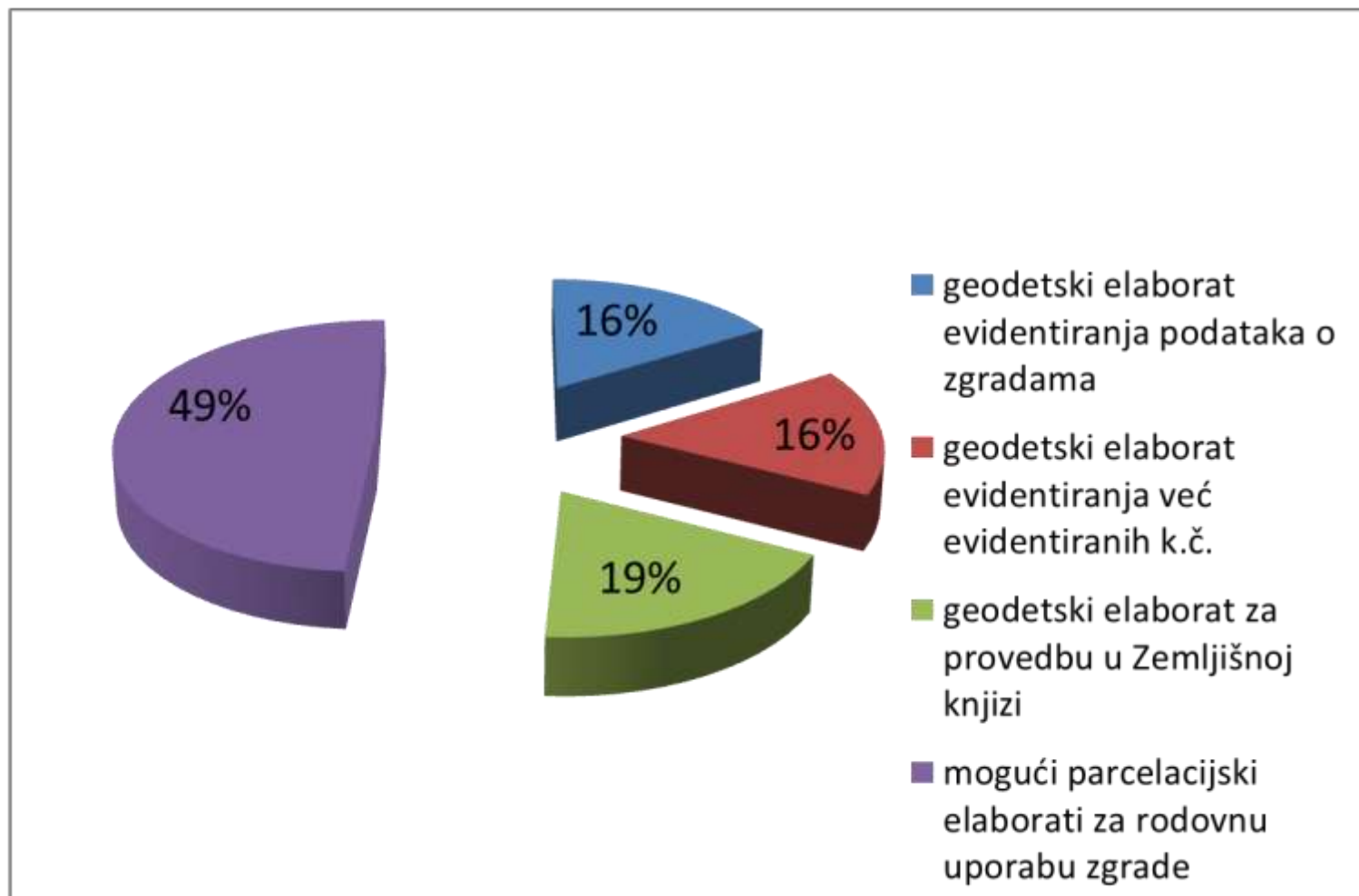
The state of entered data on buildings managed by the company Stan Ltd Poreč in official registers is characterized by partial compliance with recorded data on buildings, and the process of merging is nearly 36% of the buildings



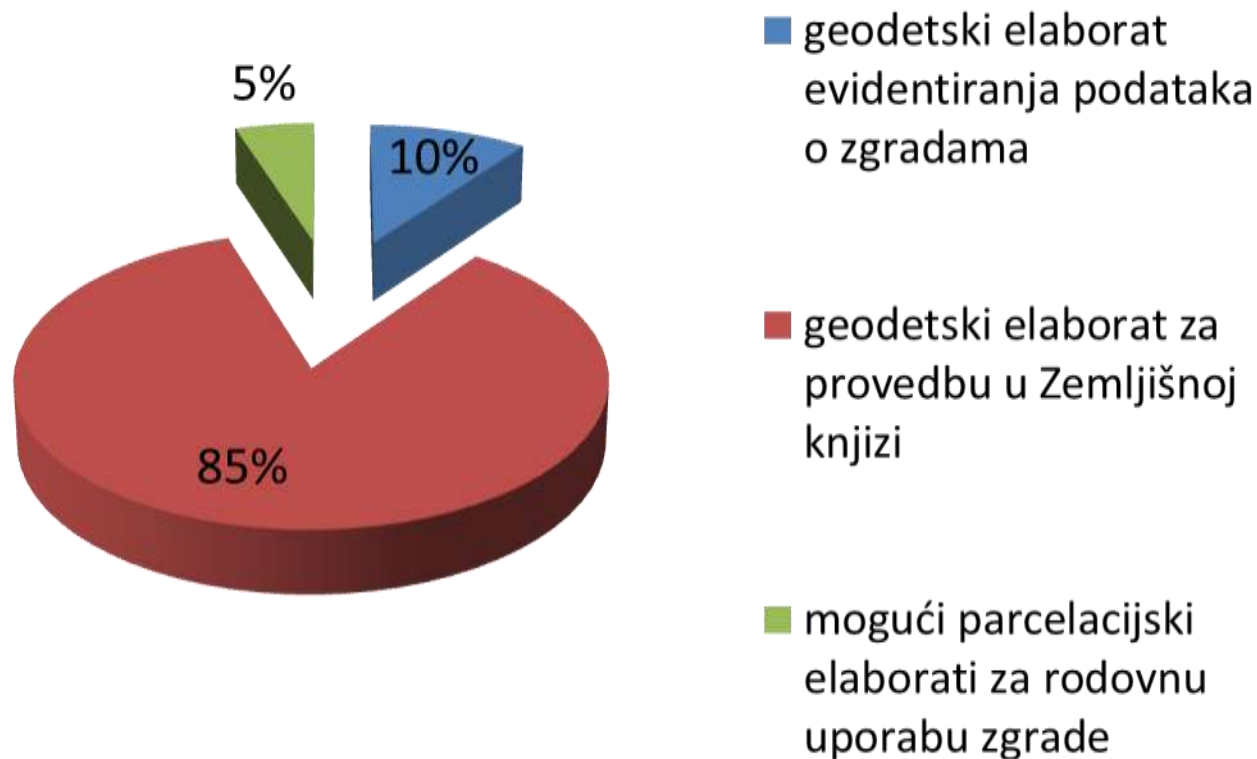
The state of entered data on buildings that are managed by the company Pazin Ltd. in official registers, is characterized by large discrepancies among entered data. For even 89% of the buildings managed by Pazin Ltd. it is necessary to start the process of LR and BDC integration



Any required preliminary work of making appropriate surveying and subdivision studies will delay the time of starting procedures of linking Land Register and the Book of Deposited Contracts (Stan Ltd.)



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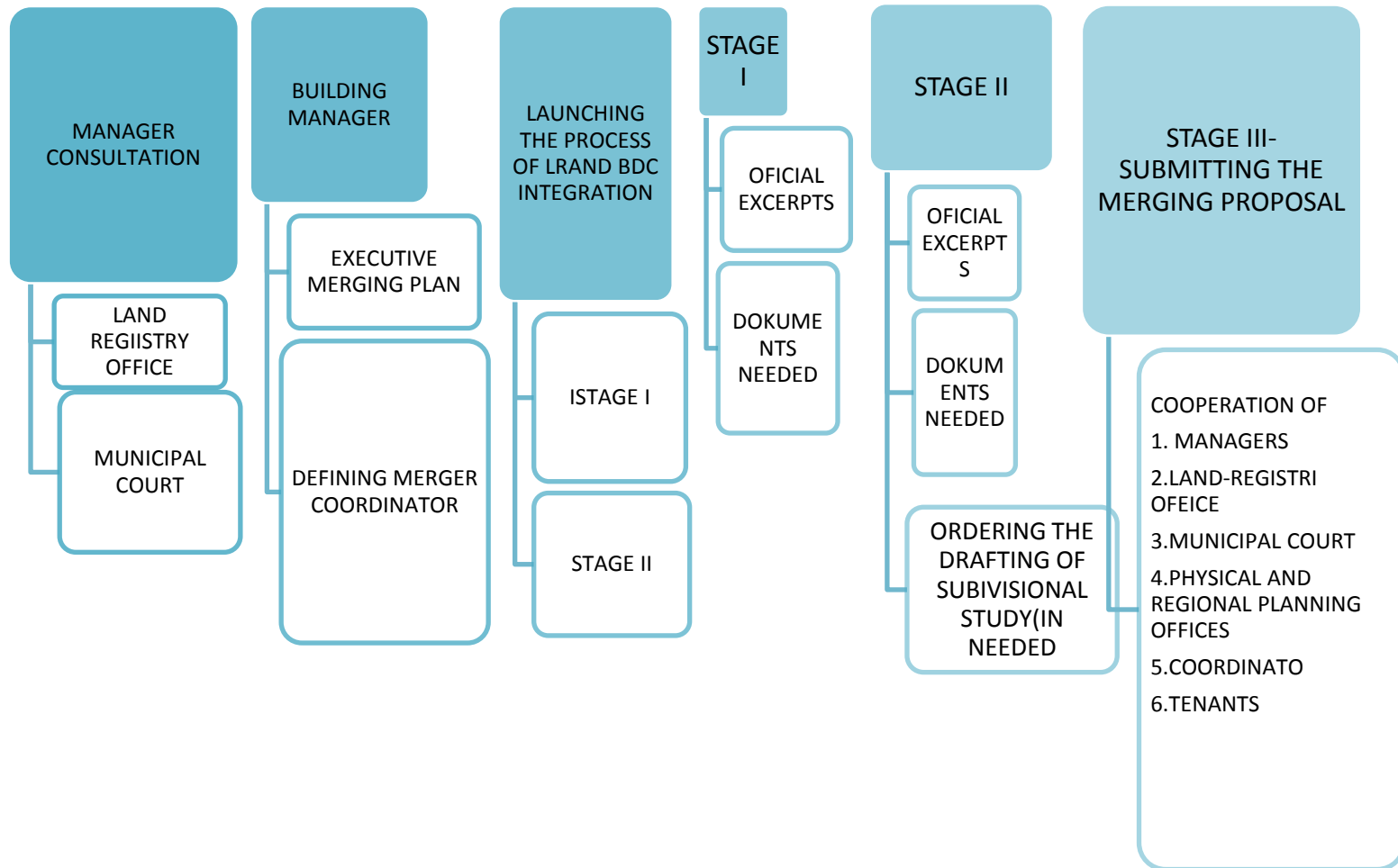
Stages for a successful launch of the process of LR and BDC integration

Adoption of the "Executive Merging Plan" and acting on it

Understanding all the factors in the process of submitting a proposal to merge LR and BDC requires:

- **Professionalism** (knowledge of several professions – law, geodesy, construction industry, etc.)
- **Cooperation** (managers, tenants, Municipal Court, Cadastre, Physical and Regional Planning Offices)
- **Systematics** (Obtaining the required documents in order).

The results of the analysis indicate the stages for a successful launch of the LR and BDC merging



Conclusion

- LR and BDC integration:

- Coherent data in Land register and Cadastre as a result,
- The owners of the particular parts of buildings freely dispose real estates
- Complete confidence in LR

- **The analysis shows:** great discrepancy of recorded data on real estate in official registers, a kind of necessary documents, necessary institutional cooperation, merger cost estimates

- **The example of analysis for only two managers who manage real estate show no relevant data, but indicate:**

- That the geodetic profession in the process of launching the LR and BDC integration is inevitable, needed and welcome in times of recession

- That the result of LR and BDC integration is: improving the quality of real estate records in both source registers: Property Register and Land Register

THANK YOU FOR YOUR ATTENTION!

