

If you have purchased a property and decide to repair or renovate it, you should know the following:

1. The repair is a type of construction. In most cases it is necessary to obtain a building permit under the Spatial Planning Act (SPA). Before commencing any repair works you must clarify the following:

- Whether the intended repairs impose changes in the structural elements of the building where your property is located;
 - Whether any changes in the boundaries of the areas intended for the use of all residents are involved;
 - Whether the intended use of the premises or parts thereof will be changed from residential to non-residential;
 - Whether the load on the premises will be changed (for example, due to the need of installation of equipment, etc.);
 - Whether you have enough detailed technical documentation on the actual state of the site before commencing the repair works (location of bearing components, utility systems, etc.).
- Depending on the nature and volume of repair and reconstruction works, in most cases preparation of project documentation is required which proves that the repair will ensure or retain the pre-repair condition of the following:
- Bearing capacity, stability and durability of building structures in operation and seismic events;
 - Fire safety;
 - Protection of life, health and property of the people;
 - Safe use of constructed (repaired) units;
 - Heat and energy saving.

The construction and repair works may be of varying scope: from simple painting on the wall to the complete reconstruction of the house or other non-residential properties. Depending on the complexity of the planned repair and reconstruction works, the owner as a participant in the construction process as defined under the law will be responsible for clarifying the following:

- Whether designs are required by law with respect to the intended works;
- Whether an authorization from the competent authority is required;
- Whether a coordination with the owners of the building and the neighbours is required;
- Whether it is required to observe a regime regarding noise, movement, storage of construction materials, etc.

In general, the assignment of the implementation of the construction and repair works is carried out by the owner. If the person assigning the construction and repair works is not the owner, he/she must hold a statutory Power of Attorney.

The cases where the law does not require the issuance of a building permit are regulated under the Spatial Planning Act (SPA) and concern the following:

- Interior and exterior painting of buildings and structures;
- Replacement of roof materials (if you change the bearing structural elements of the roof structure such as beams, struts, etc., you do not fall into this category);
- Internal reorganizations that do not affect the structure of the building, do not involve removing or relocation of walls and changing the intended use of the premises and their load.

For a complete list of cases for which no permit is required, refer to Art. 151 of the SPA.

Recommendation:

Even where the law does not necessarily require so, the preparation of designs is beneficial for the Sponsor with a view that the design provides an opportunity to estimate the types of activities, type and quantity of the materials used and hence – an estimate of the expected costs of construction.

The construction and mounting works in most cases require the maintenance of records relating to the performance of certain types of works. The obligation to maintain this documentation is to the owner and the person assigned to manage the construction process.

In the cases where the repair works have started with a building permit and approved designs, after the completion of the works they must be commissioned through the registration of the completed construction or under another procedure, depending on the category of the building where the site is located.