



Cleaning the stairs in turn, why can't the assembly decide?

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Hello friends from Condominioweb!

Recently the assembly of the condominium in which I live, in view of a reduction in management costs, has decided to withdraw from the stair cleaning contract with the company entrusted with the service and has decided that the stairs must be cleaned every fortnight with shifts involving all condominiums.

This decision was taken by majority: I, however, remember having read somewhere that the assembly cannot take such decisions unless there is the consent of all the condominiums. Having voted against (for me it is better to pay a company because I don't have time to clean the stairs) and not intending to respect this decision, I would like to know if I can challenge it.

Often, with greater frequency in low-level condominiums, the condominiums believe they can do without this service by providing on their own initiative. This conviction, which mostly takes on the features of popular belief, is almost always dispelled after the earliest times.

Not content, many believe they can bind each participant to the cleaning of the common parts through a meeting resolution.

Nothing could be more wrong. When the Court of Cassation ruled on the subject, it established that "the assembly of condominiums has the power to decide on the costs and methods of allotment, approving the approval of the budget and final balance, but the possibility is excluded to impose on the individual condominium the obligation to clean the stairs at a given moment, or to do so through its own cleaner.

In the event that the assembly takes such a resolution, this would be radically nothing, as the condominiums ruled beyond their competence, violating the rights of the individual condominium on which the law does not allow it to affect "(so **the Court of Cassation of 22 November 2002 n. 16485**).

A radically null decision, that is, that can be challenged at any time by anyone who has an interest, even by condominiums who have voted in favor (see **Cass. No. 6714/2010**). The condominium assembly cannot, therefore, impose on condominiums to make exorbitant commitments from those that are their own competences.

Our reader, therefore, will certainly be able to challenge the resolution, after experimenting with an attempt at mediation, because nothing.

Nothing, of course, forbids the condominiums wishing to do so from cleaning the stairs, but this does not give them the right to ask others to do likewise or to have remuneration for the service rendered, nor would they allow such others to complain and ask for more commitment. The condominium who decides to clean can do so even for his own landing.

On this point, in fact, it is necessary to distinguish between simple domestic interventions and contracted services to a self-employed worker or a company. In the latter case, the stair cleaning service must be entrusted to a qualified person in accordance with law n. 82/1994 even if it is a condominium participant.

Source: <https://www.condominioweb.com/lassemblea-puo-obbligarmi-a-pulire-le-scale-a-turno.11847>

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