



Condominium administrator course exemption for your own building.

Attendance of initial and professional refresher courses is not required even if the internal administrator is a professional.

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Attendance of **refresher courses for condominium administrators** and, under certain conditions, of initial training courses is a prerequisite for taking on assignments.

This always applies if the reference is a **professional administrator**. If he is also the administrator of the building in which he belongs to a real estate unit, so-called internal administrator, his capacity as a professional does not prevail over the title of ownership.

In other words: the interior, even if **professional**, is not subject to the requirements of professionalism.

It is the question of one of our readers that gives us the opportunity to address the issue.

Exemption course administrator, the case

*Good morning Condominioweb friends! I am writing to you my case: in the condominium where I live, we are ten people, the building has always been managed by one of the owners. He is an **administrator** and has his office right on the ground floor of the building.*

*Last year he closed his business, he **retired**, but our condominium said it was willing to continue running it. That's fine with us, there is a full relationship of trust, but one of the neighbors, a new condominium, says that he is interested in having the **professional requisites**, that if he does not attend more courses he must be replaced.*

*Our administrator says this condo is exempt from taking courses. **Is he right?** And if so, why?*

As mentioned in the beginning, **the newly retired administrator** is right. Our reader rightly asks us why. We will try below to give you an account.

Administrator course, the rules

The **art. 71- bis avail. att. cc** deals with regulating the requirements for the assumption of condominium administration offices.

The doctrine usually catalogs the requirements, provided for by the first paragraph of the standard, in requirements of integrity (letters a) to e) of the first paragraph) and cultural requirements (secondary school diploma) and **professionalism** (lett. f) and g)).

The detail in letter g) provides that those " *who have attended an initial training course and carry out periodic training in condominium administration* " **can take on the roles of condominium administrator** .

As for the requirement of the diploma and the **initial training** course , the law tells us that they are not necessary for those who have held condominium administration assignments for at least one year in the three years prior to the entry into force of the same provision (i.e. June 18, 2013 , in this sense, see paragraph five of art. 71- bis disp. att. cc)

We remind you that it is the ministerial decree n. 140 of 2014, i.e. the *Regulation establishing the criteria and methods for the training of condominium administrators as well as training courses for condominium administrators* , to tell us that:

- the **initial** training course must last at least **72 hours**;
- the **periodic** training course must last at least **15 hours**;
- both courses must be held by **scientific managers and trainers** with specific requirements, indicated in the decree itself.

The excessive generality, even lacunosity, of **decree no. 140/2014** and the absence of a control body has meant that the regulatory provisions contained in the aforementioned ministerial act have been interpreted in the most different ways. But this is another matter.

Administrator course, the consequences of non-fulfillment

What happens if the condominium administrator **does not fulfill the obligation of periodic training** (and in cases where the initial one is also necessary)?

The **first answer**, the immediate one, is that there is no requirement for the **assumption of positions**.

The consequent question concerns the fate of the office assumed and the resolution: what consequences?

Here the question becomes more **complex**. The absence of specific regulatory indications necessitates the work of the interpreter.

The positions are more varied: from those who believe that nothing happens because the rule does not concern the **validity** requirements of **the resolution**, to those who believe that the absence of the requirements represents a serious irregularity that can lead to judicial revocation to those who finally frame the issue considering flawed the administration contract and not the resolution.

The jurisprudence is not unambiguous on this point. Of course, we think we can say, it cannot be that nothing happens, that no consequence of any kind can be said to **exist**, at least in relation to the contract concluded by a person who could not have signed it.

Administrator course exemption, ok for the internal but professional administrator

The art. 71- *bis*, second paragraph, disp. att. cc provides for an explicit derogation for cultural and training requirements in relation to **internal administrators**.

Recite the norm: *The requirements referred to in f) and g) of the first paragraph are not necessary if the administrator is appointed among the owners of the building ..*

For the so-called **internal administrator**, neither a diploma nor the attendance of initial training courses or those of periodic annual training is required.

What if the internal administrator is also a **professional**?

The law does not pay attention to this specificity, so that due to the quality of condominium owned by a **professional administrator**, it must be considered that in relation to the building possibly administered for the aforementioned reason, he or she must not follow periodic training courses, nor have the other cultural requirements. and professionals required.

This is why the newly retired administrator can continue in the management role of "**his condominium**" without following periodic training courses.

That this is **appropriate** is another matter.

Source: <https://www.condominioweb.com/esemption-corso-amministratore-condominio-per-il-proprio-ilizia.18462>

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