



WHEN THE ADMINISTRATOR MAY BE CANCELLED ON THE BASIS OF THE LAW OF THE CONDOMINIUM REFORM

The revocation can be arranged - ex art. 1129, paragraph eleventh of the commercial code, art. 69, second paragraph, disp. att. cc, and art. 1131, fourth paragraph, of the Civil Code - By the court (on application of even a single condominium) for:

1. failure to report to the assembly of summons concerning the common parts or the revision of the tables thousandth as well as measures having a content that falls outside the administrator's powers;
2. omitted statement of operations;
3. commission of serious irregularities.

Form ("among other" - art. 1129, the twelfth paragraph of the Civil Code) serious irregularities:

- 3.1. the failure to approve the convening condominium statement;
- 3.2. repeated refusal to convene a meeting for the revocation and the appointment of the new administrator or as otherwise required by law (eg .: repeated refusal to convene a meeting within 30 days of the request also of one condominium for adoption of resolutions concerning special interventions such as, among others, those designed to improve the safety and wholesomeness of the buildings and facilities, which aimed to eliminate architectural barriers or to reduce energy consumption);
- 3.3. the non-execution of judicial and administrative decisions, as well as resolutions of the meeting;
- 3.4. failure to open and use the communal bank account;
- 3.5. the condominium management in ways that will lead to confusion between the heritage of the building itself and the personal assets of the administrator or other residents;
- 3.6. having agreed to a dissatisfied credit, cancellation of the formalities carried out in the land register for the protection of the rights of the condominium;
- 3.7. the failing - if it has been promoted judicial action for recovery of sums owed to the condo - of diligently caring for such action and the subsequent compulsory execution;
- 3.8. the failure to take care of the estate of the condominium registry office register, the register of minutes of meetings, the appointment register and revoke the administrator, the accounting ledger;
- 3.9. the failure to deliver, the condominium can, on request, the relevant certificate to the status of payments of service charges and any litigation in progress;
- 3.10. the failure, incomplete or inaccurate reporting by the administrator - acceptance of his appointment and at each renewal of the appointment - of their personal and professional information, the tax code (and the name of the registered office, in the case of companies - ex art. 1129, second paragraph, cc), the place where as the logs condominium registry, minutes of meetings, the appointment and dismissal of the administrator, accounting, as well as the days and hours in which any interested upon request, and the reimbursement of expenditure, can access them free of charge and obtain a copy signed by the same director.



The condos, individually, may ask - ex art. 1129, eleventh paragraph, the commercial code - The convocation to stop the violation and revoke the mandate administrator (*) to:

1. commission of serious tax irregularities;
2. non-compliance with the obligation of opening and use of the communal bank account.

(*) In case of failure to withdraw by the shareholders, each condominium can apply to the courts; in case the application is accepted, the applicant for legal costs, has the right to take action against the condominium, which in turn may recover against administrator revoked.

For judicial revocation process see. art. 64 disp. att. cc

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