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**TERMINATION OF RIGHTS TO SHARE IN THE COMMON REAL ESTATE
AT THE REQUEST OF OTHER CO-OWNERS**

The emergence of the institution of joint ownership of the objects of civil relations is a natural result of development of the law, because the absence of such institution in terms of strengthening marriage, evolution of legal regulation of family relations and relations of joint activities of subjects of law would create significant legal obstacles to relevant subjects in exercising their authority regarding respective property and, in addition, would to some extent stimulate the emergence of disputes concerning property created or acquired simultaneously by several persons.

In modern conditions of the development of legal system of Ukraine, the institute of joint ownership gains particular importance. The gradual formation of our country's attractive investment image with the European vector of development has to lead to the expansion in the territory of Ukraine of the "space" for European business. One form of conducting business is such a common activity of several companies, which results in joint acquisition of the property, including real estate. In addition, the actual investment activity potentially provides the possibility of acquisition of the part of property – investee – by investors.

The above makes it possible to affirm the existence of the principle of division and separation of real estate, which establishes the correspondence of the value of share in the common real estate to the value of this object received by the persons concerned in the event of separation or division of property. If there is a discrepancy, the court at the request of the parties must conduct appropriate calculation and oblige the party that received the property at the price greater than the value of its share in the common property right to pay the others that acquired share in the property at lower price adequate compensation for the cost of share in common property.

In general, it is necessary to take into account the provisions of Article 365 of the civil Code of Ukraine operating evaluative categories, characterized by relativity, and therefore causing their complex use in the practice of law. Only court practices enable precision of appropriate grounds for termination of joint ownership of property and effective application of these legal provisions. At the same time we should agree that the most effective way to solve this issue is the proper regulation of corresponding social relations. Therefore, given the above, the improvement of national legislation on termination of the right to a share in the common property is rather relevant.

