

CIVIL LAW AND COMMERCIAL LAW**ZAITSEV A.**

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*(V.M. Koretsky Institute of State
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of Sciences of Ukraine)***FEATURES OF EXERCISE OF POWERS BY HOMEOWNER**

Housing as property and non-property value is governed by many laws of Ukraine. First of all, the Constitution of Ukraine, which establishes the basic principles of human rights to housing, property right and guarantees of its protection as well as the Civil Code of Ukraine, which is a direct legislative act, revealing the basic principles of ownership, the concept of home, its types and rights of homeowner.

Practically important for judicial resolution of cases on issues regarding right to ownership are the relevant resolutions of the Supreme Court of Ukraine and the Supreme Court of Ukraine for Civil and Criminal Cases. The proposed changes are consistent with the planned reforms in the country to decentralize power and transfer certain powers to local authorities.

The future Housing Code of Ukraine should establish limitations in the exercise of powers by homeowners in relation to the house, which should comply with the interests of the owners, the third parties and society in general. Of course, entitling the homeowner with the right to exercise any actions regarding his/her property at his/her sole discretion does not preclude the restrictions of the rights. However, it is inconceivable to let owner be the one, who due to statutory limitations is unable to use the property at his/her sole discretion.

