

## **When you have to ask permission from the community of owners to have work done on your house**

Sometimes your house needs work, maybe building work or painting the outside walls or changes to the doors.

But be careful, because there are some types of home renovation work that you must ask permission to carry out from the community of owners first.

Before you do anything it is **compulsory**, as stated in the Horizontal Property Law, to contact your Community Administrator, who will inform you about the steps to be taken. If the community of neighbours does not give its approval via confirmation from the Community Administrator, you cannot carry out the planned work.

### **So what type of work do you have to ask permission for?**

Essentially you need to ask permission for anything that alters or affects the common areas of the property, as well as changes to the façade, load-bearing walls and similar, but in all cases you should consult the rules and talk to the President or administrator.

### **Closing in your terrace**

You need permission not only from the community of owners but perhaps also from the local municipal council. This is because this type of renovation alters the common elements of the community and the municipal area, changing the appearance of the building's exterior façade. As such, permits will normally need to be requested, although it will of course depend on what is included in the statutes of the community of owners. If you close off the terrace or balcony space to make a conservatory without asking for permission, you could be in breach of the law and may be liable to be sued for an urban planning violation, having increased the size of the built area of your home. This could be a problem once you decide to sell your property if you have not asked for the necessary authorisations and the buyer requires them.

### **Pergolas and awnings**

Another change that you will often have to ask permission for from the community of owners and possibly even the town hall is the installation of pergolas, awnings or any other element that may affect the aesthetics of the building's exterior.

Communities may set out a series of rules regarding the design, colour and model of awnings that may be installed in order to give the neighbourhood a uniformity and harmony, so you cannot necessarily just go ahead and put in any type you want.

### **Air conditioning**

Giving permission for the installation of air conditioning systems that go on the outside of the building is not automatic as this still needs to comply with community laws and any deviations to the community laws would need permission, and will need a vote by the community to approve.

### **Painting your house**

Painting the façade of your home is also an alteration of the community's common elements, so the Horizontal Property Law (LPH) establishes that this change must be submitted to the consensus of the rest of your neighbours. Furthermore, if it is considered a major work, it will also be necessary to present the project to the town council and obtain a building permit.

### **Changing the doors**

Changing the main entrance door to your house or villa does not require the permission of the rest of your neighbours, as a general rule. However, if you want to make the doorway bigger or put it in another place, you will need permission. Before making any changes you should consult the community statutes just in case, since some communities do stipulate agreements about changing the doors.

In any of these situations, you would do well to speak with the Community Administrator and/or the president of the community so they can arrange a vote on your case at a meeting of the community.

If restrictions are listed, a change may be required (with unanimity) or approval would need unanimity for the same reason as establishing a new precedent. In all cases, whether you think you may need permission or not, you should double check with your community president and governing committee as the specific circumstances will be dependent on each community.

So remember, always before you do anything contact your President and Community Administrator

**Please bear in mind that the information above does not constitute legal advice.**