

ABSTRACT

Thesis Title : **Law Governing Business of Housing and Land**
Subdivisions : **Focused on the Conditions Subsequent**
Transfer Ownership in Sale Contract.

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Degree Sought : **Master of Laws**

Academic Year : **1998**

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Law governing business of housing and land subdivision. The studying focus on condition subsequent of sale contract after the ownership transfer, the present legal measures to restrain the subdivision business of land and dwelling house, including, the restriction using of premises in dwelling house communities which fixed as a condition in sale contract, Its characteristics the condition subsequent transfer ownership that purchaser can not exercise to use his property in some condition to benefit the whole utility of dwelling house in communities to keep peaceful, shady and esthetic. Thus, to study laws involved the subdivision business of land and dwelling house for the relevant issues such as Revolutionary Committee Announcement No.286, B.E. 2515, concerning land subdivided control law, Civil and Commercial Code, Land Code, Building Control Act B.E. 2522, Unfair Contract Terms Act B.E. 2540, Zoning Act B.E. 2518, Royal Thai Constitution B.E. 2540, Standard State Zoning Enabling Act (1926), Standard State Planning Enabling Act (1928) as the American Law. The objectives of the thesis, is to study the principles and legal

measures of the government according to Revolutionary Committee Announcement No. 286, B.E. 2515, and other concerning law in connection with conditions subsequent transfer ownership of land or dwelling house which effect the ownership of the purchaser, in order to recommend directions to improve the law. This thesis is strictly based upon documentary research.

The results of this research, explicit that the Revolutionary Committee Announcement No. 286, B.E. 2515, and relevant legals such as, Civil and Commercial Code, Land Code, Building Control Act B.E. 2522, Unfair Contract Terms Act B.E. 2540 and Zoning Act B.E. 2518. Can not protect the purchaser and members of the community from the condition subsequent of transferring ownership in sale contract, It is because such conditions subsequent can not enforce the outsider who has no juristic relations with the developer. Subsequently, the deterioration of community the disorder and lack of peaceful, shady, aesthetic are not suitable for the residential purposes.

Therefore, it should be improved the law concerning the measure to control rights and duties, of person who inhabit in the community under such. For instance, conditions subsequent to perform their behaviour in accordance with the agreement or the condition to limit the use of land and dwelling house to regulate real right. Having representative in the body of committee of dwelling house community, It should be designate the enforcement by law and to create good co-ordination in between legal officers who enforce such law efficiency. To led the peaceful and order to such subdivision communities.