

Abstract

This thesis aims to study problems, law's criteria, rules and measures in controlling entrepreneurs in real estate business, especially for housing accommodation development. In addition, it studies problems and obstacles in law enforcement. The data in this research are collected from both national and international documents and laws.

The study found that there are several laws relating to real estate business development such as the Land Code, the Land Development Act B.E. 2543, the Condominium Act B.E. 2522, the Building Control Act B.E. 2522, and the Consumer Protection Act B.E. 2522. However, there are still some problems, obstacles and inefficiency in controlling and supervising developers who desire to carry on or undertake housing development for both developed housing and condominium project. This is because there are no main purposes of these laws to screen or verified qualifications, control the administration and standard as well as ethics of housing developers. Furthermore, there is no enactment to support and improve housing developers' status to be professionals which are inspected and supervised by professional council. This caused mistakes, inefficiency, and double-standard for unethical housing developers who may seriously and directly harm consumers.

According to the aforementioned problems, the author suggested that the amendment to the real estate laws be made by including preventive measures to protect consumer benefits, e.g. housing developers shall obtain licenses from a professional council. The control of housing developers should also be pushed forward by enacting a specific law and establishing a professional organization to control and promote real estate business in Thailand. Moreover, controlling measures regarding contracts or agreements, advertisement, down payment protection and the placement of strict punishments shall also be reformed.