

Swedish 3D Property in an International Comparison

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3rd International Workshop on 3D Cadastres: Development and Practices

25-26 October 2012, Shenzhen, China

Outline

- Introduction
- Types of 3D property
- 3D property in Sweden
- Comparison of 3D property rights
- Comparison between Swedish 3D property and standard types
- Conclusions



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Introduction

- Are Swedish 3D property forms different from the standard types and how?
- Comparison with and between standard types
- Comparison with e.g. Australia and Germany

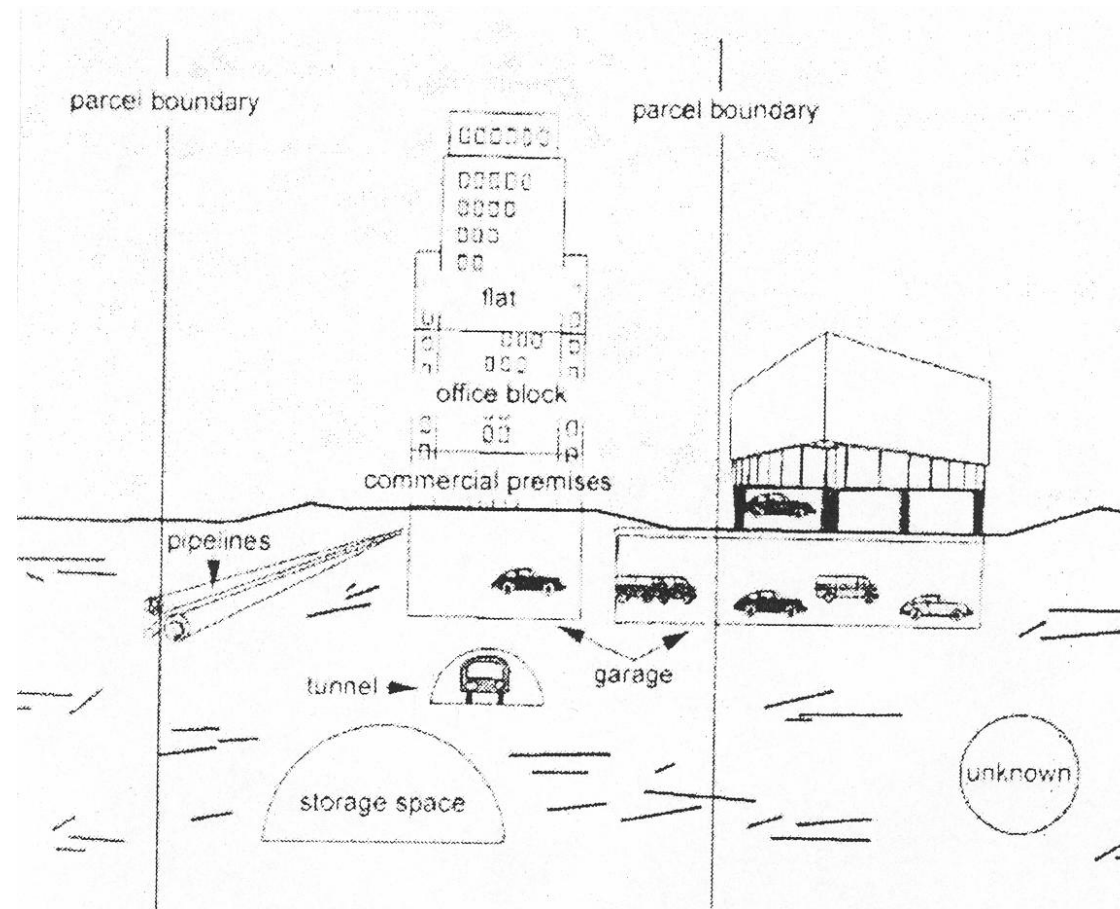


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Multi-functional use of space



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(Julstad, 1994)

Types of 3D property



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(1) Independent 3D property	(a) Air-space parcel
	(b) 3D Construction property
(2) Condominium	(a) Condominium ownership
	(b) Condominium user right
	(c) Condominium leasehold
(3) Indirect ownership	(a) Tenant-ownership
	(b) Limited company
	(c) Housing cooperative
(4) Granted rights	(a) Leasehold
	(b) Servitude
	(c) Other rights

(Paulsson, 2007)

Development of 3D property in Sweden



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- Before 2004 real property was equal to land
- Other ways of using space: joint facilities, easements, leasehold, etc.
- Tenant-ownership since 1930
- 3D property since 2004
- Apartment ownership (condominium) since 2009

Definitions in the Swedish legislation



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1. three-dimensional property unit: a property unit which in its entirety is delimited both horizontally and vertically

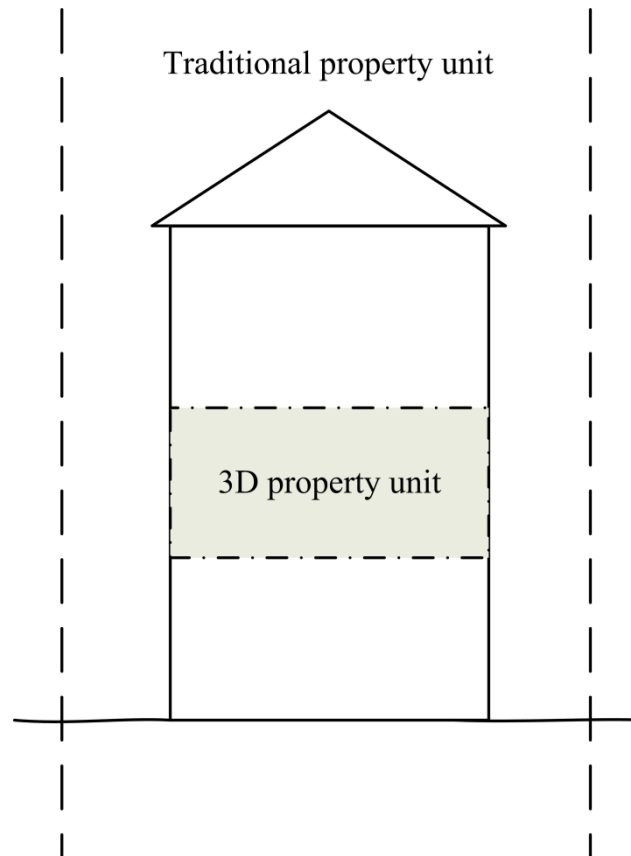
2. three-dimensional property space: a space included in a property unit other than a three-dimensional property unit and delimited both horizontally and vertically

3. apartment unit: a three-dimensional property unit which is not designed to accommodate anything but one single dwelling

3D property unit



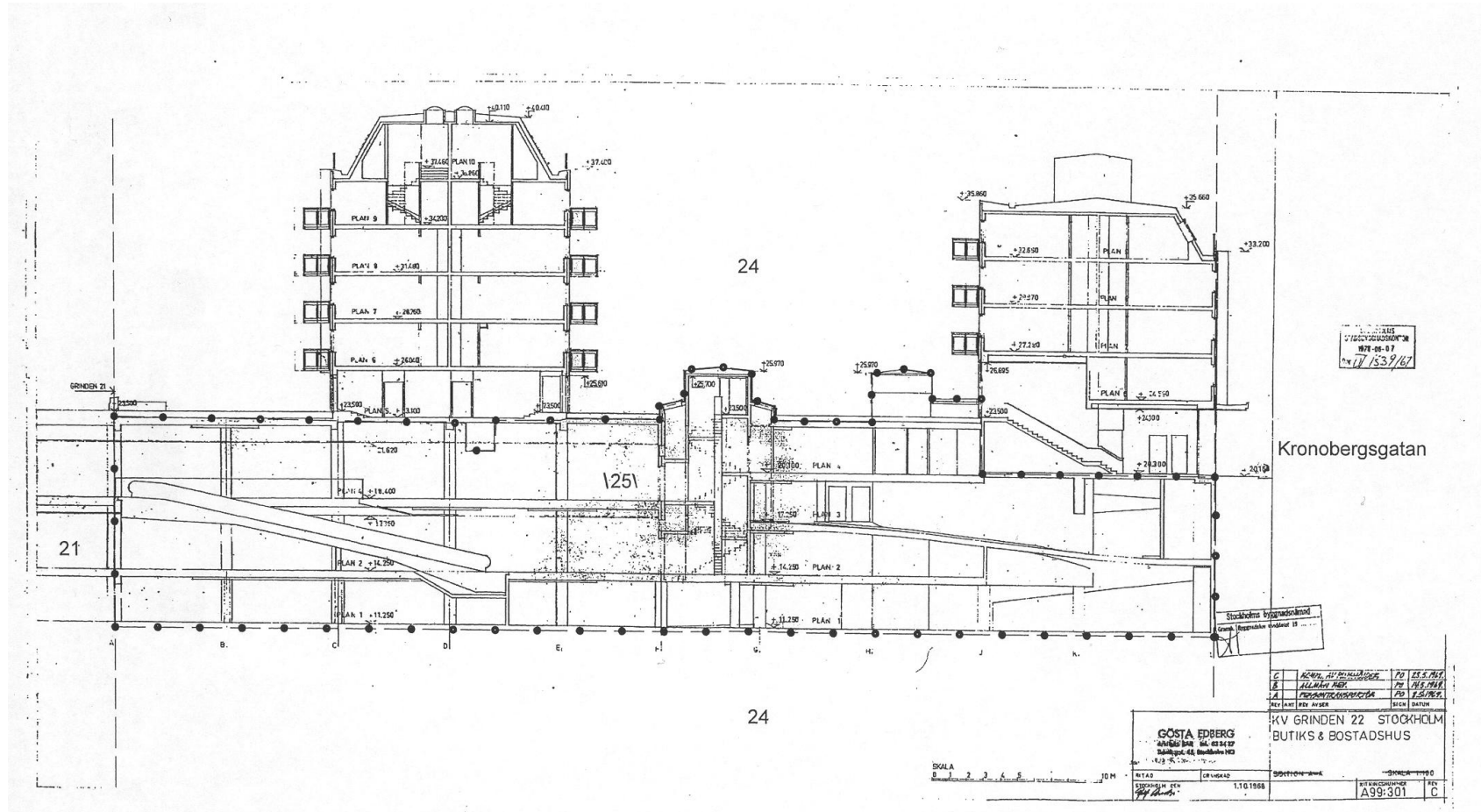
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Example of independent 3D property



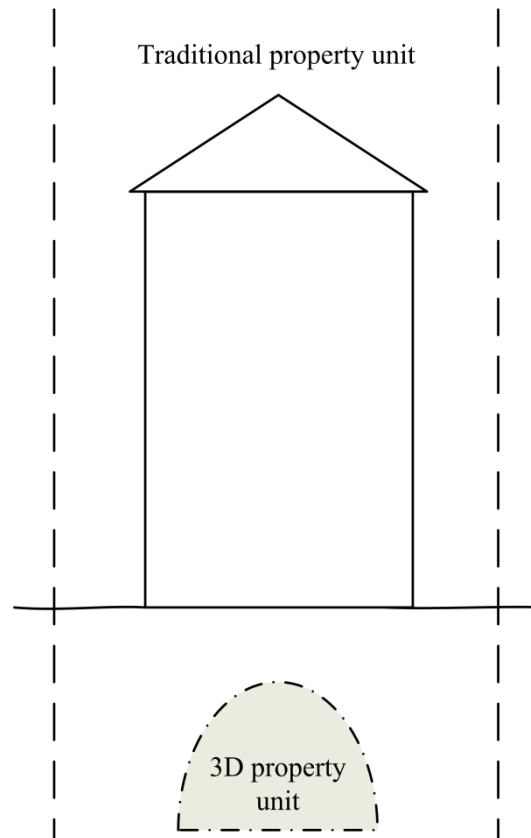
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3D property for infrastructure



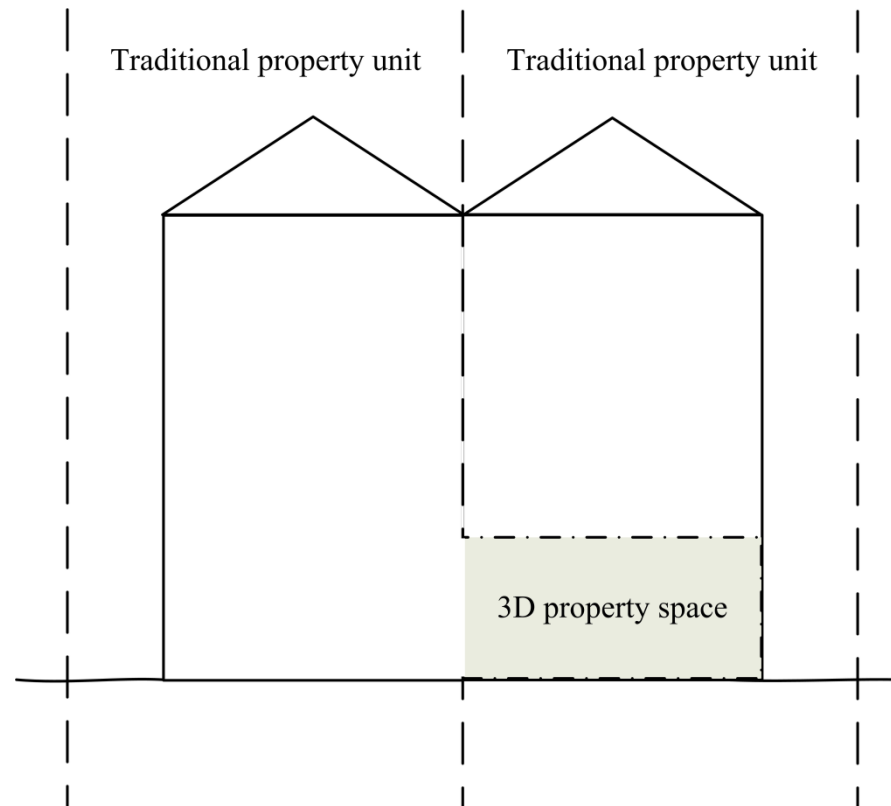
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3D property space



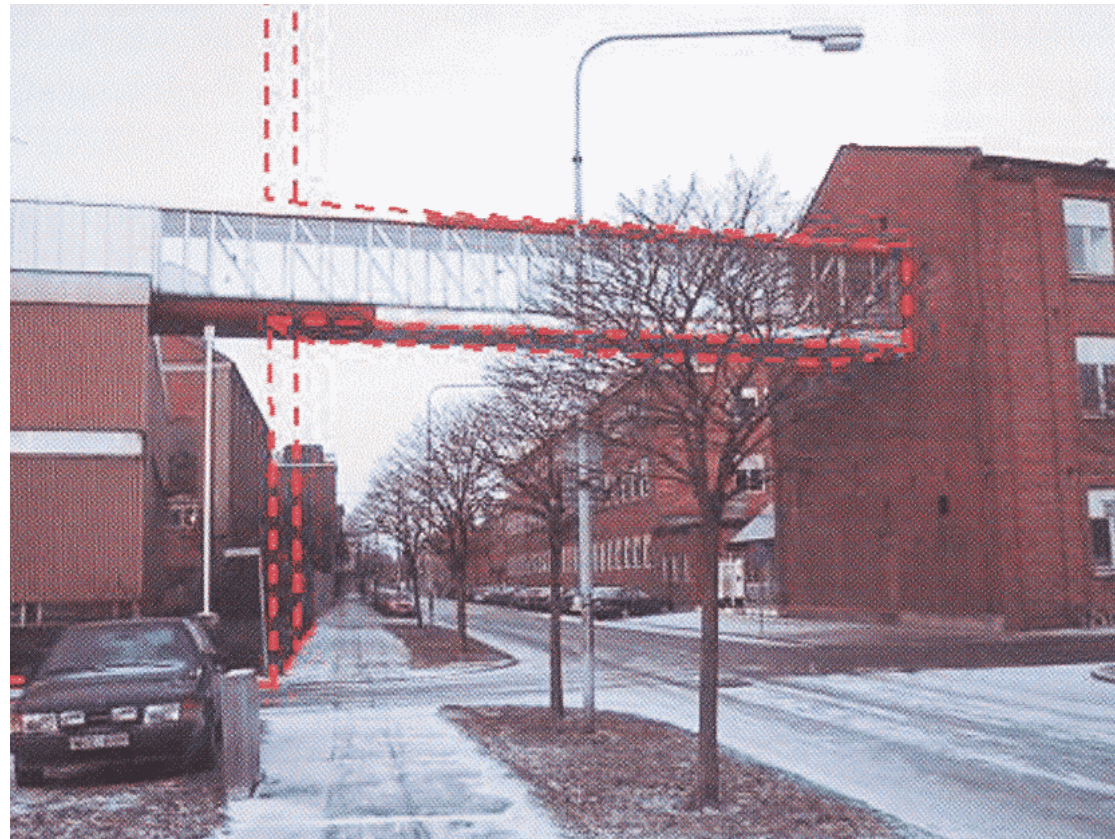
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Example of 3D property space



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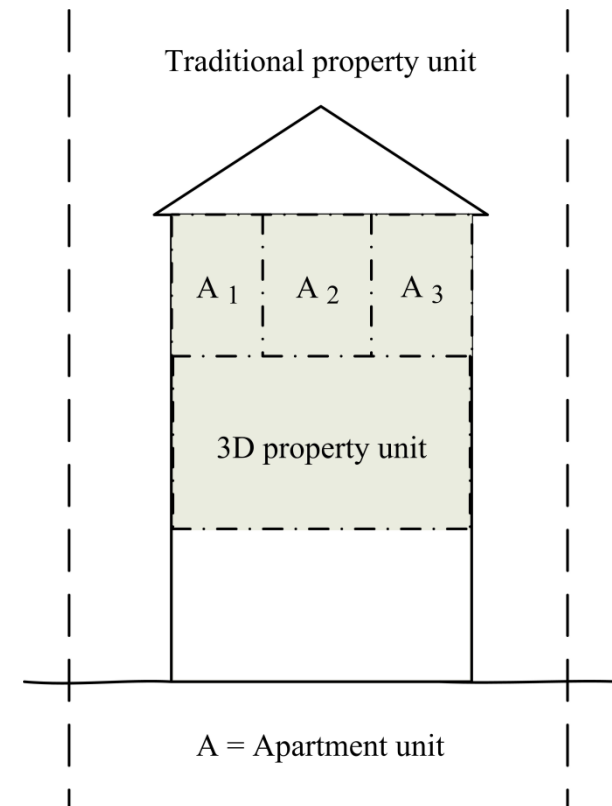
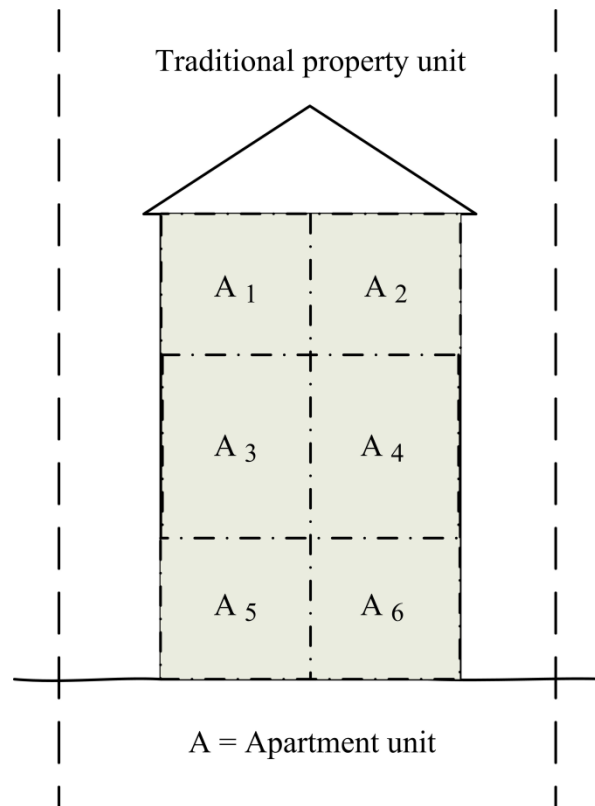


(Lantmäteriet, 2003)

Condominium



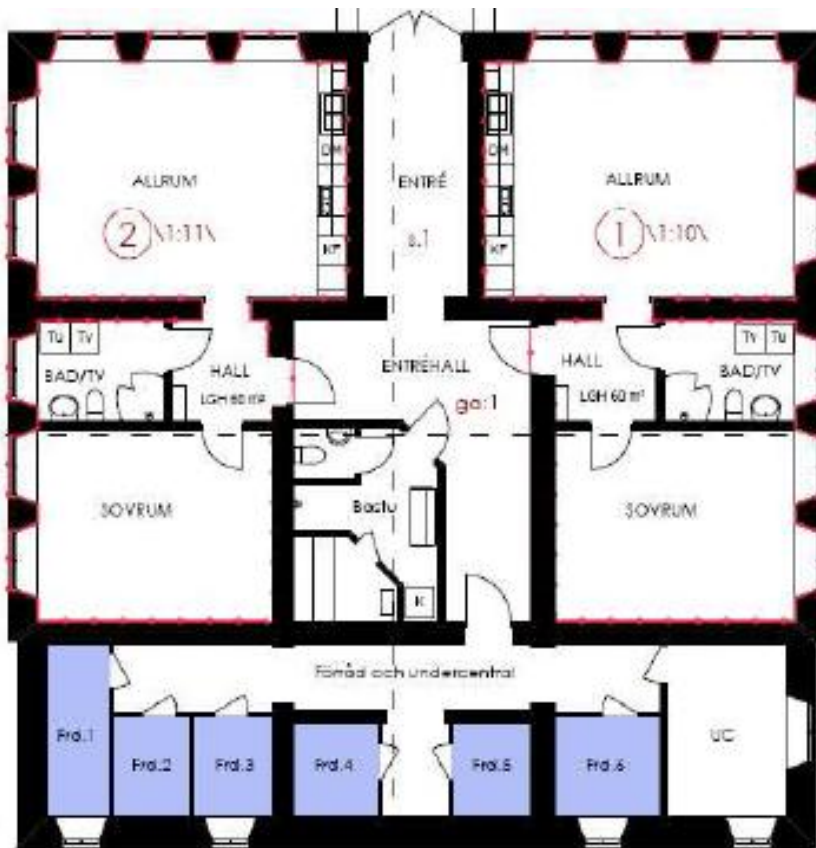
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Example of condominium



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(Lantmäteriet, 2009)



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Tenant-ownership

- Economic association owns and manages the property
- Residents have share in capital of association
- Similar to condominium
- Dominant type of 3D property right in Sweden

Comparison of 3D property rights



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- Range of ownership, but common features
- Condominium more common than independent 3D property
- Independent 3D property more similar to traditional property, regulated through agreements
- Condominium involves more cooperation between units, usually more regulated in legislation
- Several types may co-exist

Comparison between Swedish 3D property and standard types



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- Swedish independent 3D property and condominium similar, both are 3D property units
- Independent 3D property: common property, management association
- Limited to constructions, no need for connection with ground parcel
- No separate 3D property/condominium act
- Regulations not that detailed

Comparison between Swedish 3D property and standard types (cont'd)



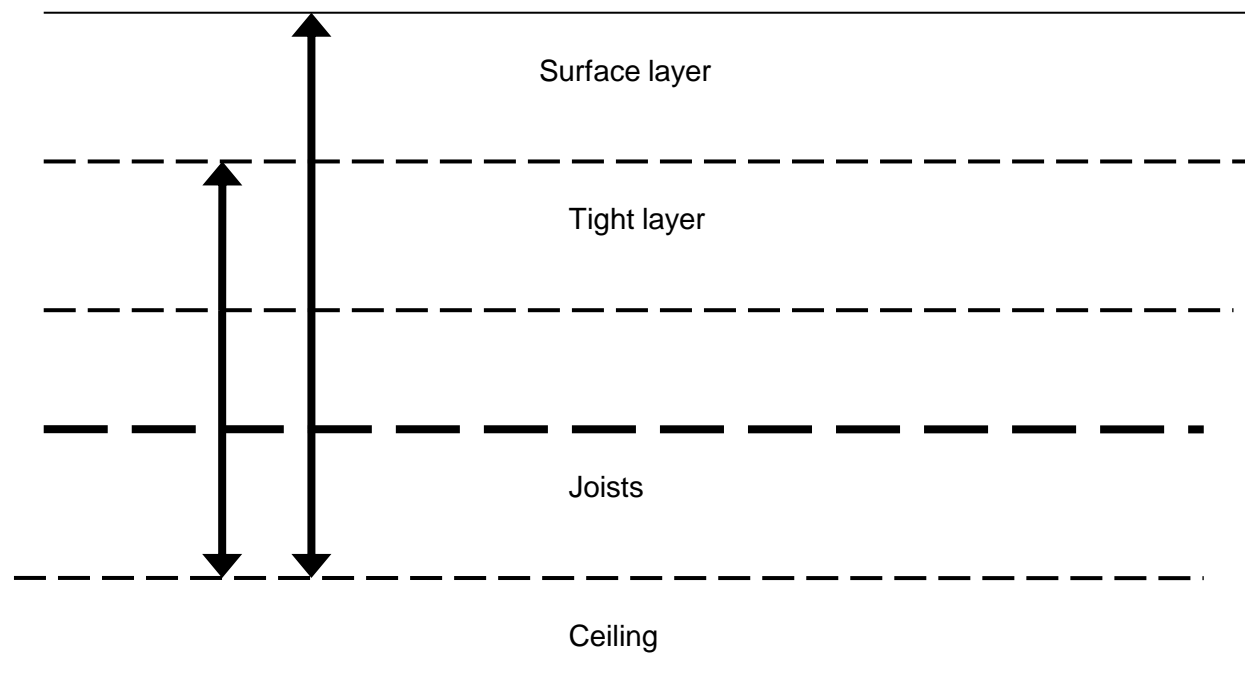
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- Individual unit, common property, membership in association – not compulsory
- Condominium only for accommodation purposes, not commercial etc.
- Boundaries related to construction
- No fixed location for boundaries in legislation, but depends on case if surface or centre
- Tenant-ownership more similar to standard condominium type than Swedish condominium

Location of boundaries



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(Mattsson)



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Conclusions

- All types of 3D property rather similar, certain elements/key factors needed for all types
- Basic construction similar, legislation differs
- Many features of standard types also in Swedish 3D property types
- Differences from standard types
- Similarities between forms may be reason for less use of 3D property in Sweden
- Further legal comparison between systems would be useful

Thank you for your attention!



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