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Abstract: Membership and the Rights to Premises in Housing Cooperatives

The dissertation addresses the relationship between membership and the rights to premises in housing cooperatives, focusing on the legal changes resulting from the amendment to the Housing Cooperatives Act of 20 July 2017¹. This amendment fundamentally changed the principle of linking rights to premises with membership in a cooperative, which affects around 10 million Poles living in housing cooperatives. This issue, which is significant both in terms of scale and social importance, is the main subject of analysis in this dissertation.

Housing and co-operative law has undergone profound changes in response to the socio-economic and demographic transitions that have taken place in Poland in recent decades. The dissertation thoroughly analyses the impact of these legal changes, particularly with regard to the link between membership and the rights to premises in housing cooperatives.

The author has traced the evolution of legal regulations from the formation of the first housing cooperatives, through the period of the Polish People's Republic, during which cooperative housing developed rapidly, to the legal changes after 1989. Special attention was paid to the previously prevailing principle of linking rights to premises to membership in a housing cooperative and to the changes introduced in 2017, which brought new regulations in this regard.

The 2017 amendment, which was seen as revolutionary, changed the previous model of linking rights to premises to membership in a housing cooperative. The dissertation analyses how these changes have affected the relationship between the members and their rights to premises in the housing cooperative and how the position of the members in relation to the housing cooperative has changed. The author conducts a detailed analysis of the related issues, examines individual problems, formulates partial theses and also proposes *de lege ferenda* postulates that ultimately lead to an answer to the basic thesis set out in the dissertation, according to which a new formula for membership relationships in housing cooperatives introduced by the amendment of 20 July 2017 strengthens the position of individuals with rights to premises.

¹ Act of 20 July 2017 amending the Act on Housing Cooperatives, Civil Procedure Code Act and Cooperative Law Act (Journal of Laws of 2017, item 1596).

The dissertation uses dogmatic, comparative, and historical methodologies to enable the reader a full understanding of the impact of the introduced changes in housing cooperative law. In the individual chapters of the dissertation, the author presents both the historical background of the development of the housing cooperative and a detailed discussion of specific legal changes, with a particular focus on the 2017 amendment concerning specific rights to premises. These chapters are organised in such a way that the reader can gradually delve into the complexity and multidimensionality of the issues related to the connection between membership and rights to premises in housing cooperatives in Poland.

The conclusion of the dissertation, in addition to summarising the analyses conducted, also contains reflections on possible directions for further research and proposals for legislative changes.