

# 3D Property - Types of Rights and Management Factors



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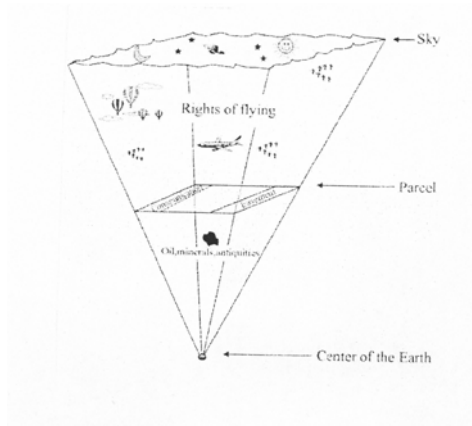
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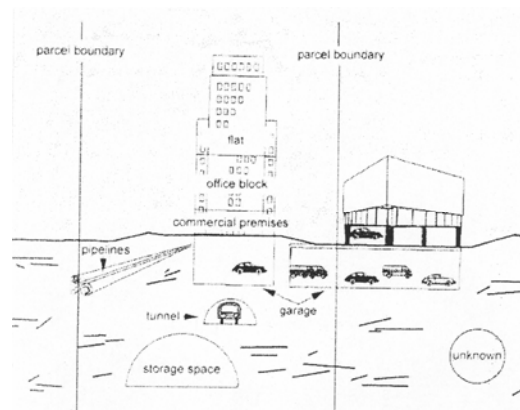
## Spatial extent of a parcel



(Stoter, 2002)

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## Multi-functional use of space



(Julstad, 1994)

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## Forms of 3D property rights



(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)

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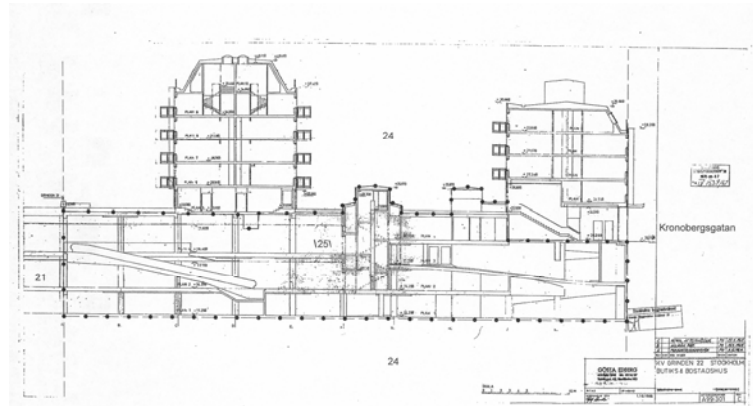
## Example of 3D property (1)



(Lantmäteriet, 2003)

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## Example of 3D property (2)



(Lantmäterimyndigheten i Stockholms kommun, 2004)

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## Development of 3D property rights



- 2D property basic form
- Changes in society
- Gradual development process 2D → 3D
- 2D → co-ownership → condominium → 3D property
- Different forms combined

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## Case studies

- **Australia:** independent 3D property (stratum) combined with condominium (strata title)
- **Germany:** condominium (*Wohnungseigentum*)
- **Sweden:** independent 3D property (*3D-fastighet*)

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## Key Factors and Problems

Key factor	Possible problems
Boundaries	Location of boundary: centre/surface Private/joint responsibility for structural parts
Common property	Unclear definitions – what is included
Co-operation between property units	Choice of co-operation form: easement/joint facility Areas included/parties involved
Management	Unclear responsibilities Insufficient and unclear regulations Large, complex developments – need for professional managers
Settlement of disputes	Choice of resolution method: court procedure is expensive, time-consuming
Insurance	What should be included Responsibility: private/joint

(Paulsson, 2007)

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## Conclusions

- Broad range of 3D property rights
- Development of new forms
- Problems within key areas
- Amendments to legislation
- Utilize experiences of other countries

