



## ABSTRACTS

### 1. Ryszard ŻRÓBEK, Sabina ŻRÓBEK: *Real estate valuation for planning and adjacent fees - dilemmas of the Polish property valuers*

The system of land use planning and land management is regulated in Poland by two main legal acts - the Act from 1997 on real estate management and the Act from 2003 on spatial planning and development. According to these regulations property owners and users have to pay different taxes and fees. The majority of them depends on the market value of the property or the increase in value resulting from the actions taken by local authorities. In Poland, this value can be determined only by authorized property appraisers. The article presents two fairly common valuation goals: 1. Determining the amount of the planning fee due to the change in the value of the property as a result of the change of the local land use plan (master plan). 2. Fixing the so-called adjacent fee for the construction of technical infrastructure by the municipality. Values assessed by appraisers for these two uses are in many cases contested by property owners whose such fees relate to them. Also the municipality authorities are often not satisfied with the assessed value. In such cases, the valuation report is sent to the professional association for revaluation, or the case goes to the Local Board of Appeal. Parties dissatisfied with the result of the valuation may also send a complaint over the property valuer to the Professional Liability Committee, acting on behalf of the Minister for Infrastructure and Development. Thus, such activity can bring far-reaching and sometimes severe consequences for the expert. Authors of the article identified the causes of above mentioned complaints. For that purpose they analyzed the valuation rules in the actual Polish legal regulations and used their experience as property valuers who performed such valuations. Reasons for dissatisfaction with the real estate appraiser work can be identified, first of all, in insufficiently clear (or excessively stringent) regulations in the relevant legislation and insufficient number of real estate sales transactions. The authors underlined these limitations. The results of the study can be used to improve the law regulating the process of property valuation for the purpose of applying particular market value. They can also support better understanding the nature of the property valuer's work and the property assessment procedures by the parties to whom the assessed value is concerned. It could also contribute to reducing the number of complaints on the work of property valuers and thus increasing confidence in this important profession operating in the real estate management system.

#### Organisers



#### Partners

