

**30.08.2017**

### **Tenant and his eviction**

According to the law "On Lease" N.23 / 83, the buildings to be leased are residential buildings or shops. Farmland or land on which there are no buildings, as well as gas stations are not classified as real estate, for which it is allowed to rent.

According to the Law on Lease, the tenant may be a natural person residing in Cyprus or a foreigner married to a Cypriot / Cypriot person who has received the right to use real estate. Also, the tenant is the "heir" of the deceased tenant who used the property.

The tenant may also be a legal entity - a Cyprus company, including one controlled by foreign nationals.

The law "On Lease" provides for such a concept as "institutional tenant". It is the tenant of the property who, upon expiration of the term of the first lease contract or upon its termination, still owns the property, observing the same rights and obligations that were stipulated in the lease agreement. The property is a building (house or shop), located on the territory of the Republic of Cyprus and built until December 31, 1999.

If the matter concerns a non-institutional tenant, then the Rental Control Court is not the competent court to consider the case.

Restoration of ownership (termination of a lease) by any home or store to which the law "On Lease" applies, or the eviction of an institutional tenant cannot be implemented by any decision or decree, except in the following cases:

1. The tenant delays the rent - it is required to deliver a notice for 21 days. But if the tenant pays the full amount of the debt within 14 days after receiving the notice, the owner cannot regain ownership of the property.

2. The owner proves to the court that he needs real estate for his own residence.

3. The owner, who needs his store to place his own business in it, proves that for this purpose it is impossible to find another store with a reasonable rent.

4. The owner is going to make fundamental changes and / or demolish and rebuild his property. In this case, the relevant permission of the competent authorities, permission to demolish (if necessary) and permission to build a new building must be provided.

5. The tenant causes inconvenience or damage, either subletting, thus violating the terms of the agreement, or receives a disproportionate profit from the sale of space (commercial good).

The postponement of the decision taken by the court to return the property owner can last 1 year. During this period, the tenant may reason, so that the owner, with some exceptions, loses the right to restore the right to own property.

If moving to another room adversely affects the tenant's business reputation, the landlord pays him compensation, and its amount is determined in accordance with the commercial loss of the tenant as a result of moving to another store. If the compensation concerns the store, then it should not exceed the rent for 18 months.