

**CALDEIRA
PIRES**

Building Façade: Whose responsibility is it?

Individual Owner or the

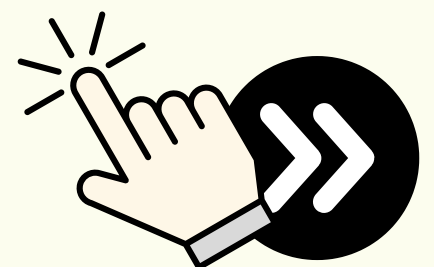
Condominium's



Problems affecting a building's façade are more common than one might think — cracks, water infiltration, or deterioration of the cladding inevitably arise sooner or later.

And with them comes a recurring question:

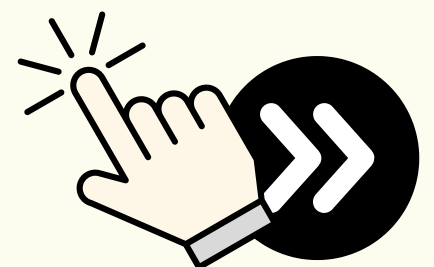
Who should bear the costs?



From a legal standpoint, the starting point is clear: **the façade is, as a rule, a common part of the building**, pursuant to subparagraph (a) of paragraph 1 of Article 1421 of the Civil Code.

This means that responsibility for the works lies with all co-owners, in proportion to their respective units.

However, **the application of this principle is not always straightforward.**

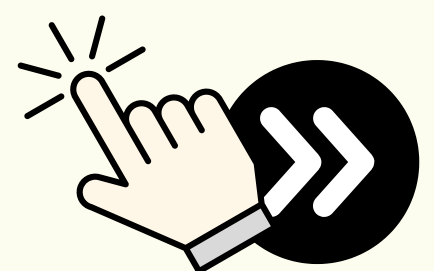


Difficulties arise especially when the damage becomes apparent only inside a specific unit.

In such cases, it is essential to look beyond appearances and identify the origin of the problem.

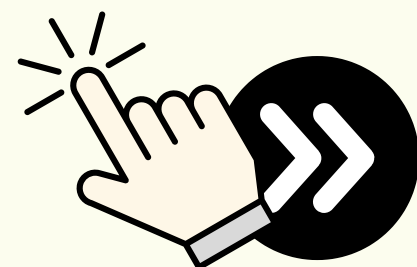
If the cause lies in the façade, responsibility remains collective.

If, on the other hand, it is an internal defect, the owner of the unit may be required to bear the costs.

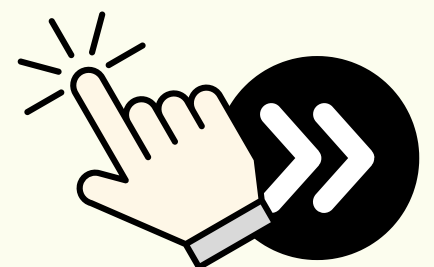


Another frequently underestimated aspect concerns the **decision-making process**.

As a general rule, carrying out works must be approved at a **condominium assembly** — which can prove complex, particularly when high-value interventions are involved.



Furthermore, **where the works entail changes to the architectural line or aesthetic appearance of the building, a qualified majority of two-thirds of the total value of the building is required**, pursuant to paragraph 3 of Article 1422 of the Civil Code.



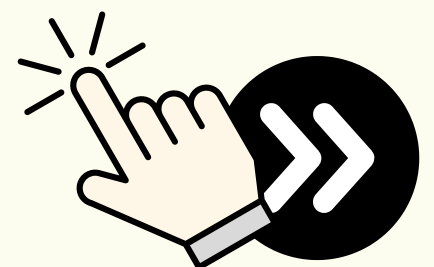
CONCLUSION

In condominium ownership, the distinction between common parts and private units remains decisive.

It is often crucial to preventing disputes and unnecessary expenses. When in doubt, always consult a lawyer.

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