

Internal regulation
Director ÚZ ŠDaJ STU
No.: 3/2015

**DAMAGE COMMITTEE FOR STUDENTS LIVING IN THE
FACILITIES OF STUDENT HOUSES AND CANTEENS OF SLOVAK
UNIVERSITY OF TECHNOLOGY IN BRATISLAVA**

Date: 26 November 2015

The director of the Student Houses and Canteens of the Slovak University of Technology in Bratislava (hereinafter referred to as the "ÚZ ŠDaJ"), in compliance with article 4 item 1) of the Organizational order of the ÚZ ŠDaJ¹ (hereinafter referred to as the "Organizational Regulations of ÚZ ŠDaJ").

hereby issues

the following internal organizational and management standard of ÚZ ŠDaJ

**Damage committee for students living in the facilities of the
Student Houses and Canteens of the Slovak University of Technology in Bratislava**

**SECTION I
GENERAL PROVISIONS**

**Article 1
Introductory provisions**

1. The present internal organizational and management standard of ÚZ ŠDaJ (the "internal regulation") specifies the composition, position, competencies, jurisdiction and organization of the activities of the Central Damage Committee for students living in the facilities of ÚZ ŠDaJ (the "Central Committee") and partial damage committees for students living in the facilities of ÚZ ŠDaJ (the "Partial Committee") - referred together as the "committees".
2. The present internal regulation also adjusts:
 - a) Statute of the Partial Committee and the Central Committee,
 - b) Rules of procedure of the Partial Committee and the Central Committee.
3. The Central Committee is a permanent advisory body of the director of ÚZ ŠDaJ.
4. The present internal regulation applies to all students living in the housing facilities of ÚZ ŠDaJ.

**Article 2
Definition of terms**

For the purposes of the present internal regulation:

1. **Landlord** is the organizational unit of the Slovak University of Technology in Bratislava (hereinafter referred to as the "STU") called "ÚZ ŠDaJ", which is authorized to act in the name of STU as the public university.

¹ Organizational Regulations of ÚZ ŠDaJ No. 1/2014 - OP dated 25 February 2014 (the "OP ÚZ ŠDaJ")

2. **Accommodation facility** is the student house according to the applicable Organizational Regulations of the ÚZ ŠDaJ²:
 - a) owned by STU and operated by ÚZ ŠDaJ,
 - b) owned by another entity and operated by ÚZ ŠDaJ,
3. **Manager of the accommodation facility** is a person defined by the applicable Organizational Regulations of ÚZ ŠDaJ³:
4. **Accommodated person** is a student of STU or another university in the Slovak Republic that has an accommodation contract with the STU.
5. **Accommodation unit** is defined as the area within the accommodation facility used to accommodate the particular person or persons, usually a room, specified with respect to its location on the floor and number listed in the accommodation contract.
6. **Common areas** are areas within the accommodation facility that are not defined as an accommodation unit, especially hallways, walls, façades, staircases, kitchenettes.
7. **Check-out** means handing over the accommodation unit due to termination of accommodation in compliance with the accommodation contract.
8. **Damage** is defined as the monetary amount corresponding to the cost of damage to the landlord's property.
9. **Compensation of damage** is defined as monetary compensation equal to the amount of damage caused, however, if requested by the accommodation facility and if possible and reasonable due to the particular circumstances, it can also be defined as the price of restoration to the original condition.

Article 3 Basic principles

1. The method and extent of the compensation of damage in accordance with the present internal regulation shall be governed by the provisions of Act No. 40/1964 Coll., the Civil Code, as amended (the Civil Code) and the internal regulations of the STU issued in relation to the rights and obligations of the students and other internal regulations of the STU.
2. If several persons are housed within an accommodation unit, the provisions of art. 438 par. 1 of the Civil Code shall apply (joint responsibility).
3. The accommodated person is required to protect the landlord's property and refrain from damaging it.
4. The accommodated person is required to immediately report any damage to the manager of the accommodation facility.
5. The accommodated person is required to compensate for the damage caused to the landlord.

² OP ÚZ ŠDaJ article 3 item 3 section 3.2.

³ OP ÚZ ŠDaJ article 4 item 2 section a).

SECTION II

Partial Committee STATUTE OF THE PARTIAL COMMITTEE AND CENTRAL COMMITTEE

Article 4 Competences and tasks of the committees

1. The committees discuss the damage to the landlord's property caused by the accommodated person.
2. Individual partial committees are established at each accommodation facility.
3. The Central committee is established at the Administration of ÚZ ŠDaJ, an organizational unit of ÚZ ŠDaJ according to the valid Organizational Order of ÚZ ŠDaJ⁴.
4. The Central Committee coordinates the activities of the partial committees and acts in cases when voluntary compensation of damage was not provided.
5. The Central Committee acts in accordance with the resolution of the Disciplinary Committee of the corresponding faculty of the STU, or the Disciplinary Committee of the STU in accordance with the valid Disciplinary Regulations of the Slovak University of Technology in Bratislava,⁵ unless stipulated otherwise by this internal regulation.
6. The mission of the committees is to investigate any damage in accordance with the provisions of the present internal regulation and propose all necessary measures to ensure its compensation.

Article 5 Composition of the Partial Committee

1. The Partial Committee consists of the chairman and three other members.
2. The chairman of the Partial Committee is the manager of the accommodation facility where the Partial Committee is established.
3. The chairman of the Partial Committee is appointed by the director of ÚZ ŠDaJ.
4. Members of the Partial Committee are appointed by the chairman from among the employees of the accommodation facility, where the Partial Committee was established, and if there is a Board of Accommodated Students of STU established at the accommodation facility, one member of the Partial Committee is appointed by the chairman of the Board of Accommodated students of STU.

Article 6 Composition of the Central Committee

⁴ OP ÚZ ŠDaJ article 3 item 3 section 3.1.

⁵ Internal regulation No. 6/2013 "Disciplinary regulations of the Slovak University of Technology in Bratislava" of 25 June 2013 article 12.

1. The chairman, deputy chairman and members of the Central Committee are appointed by the director of ÚZ ŠDaJ from the employees of the Administration of ÚZ ŠDaJ; the number of the members of the Central Committee is decided by the director of ÚZ ŠDaJ.
2. None of the members of the Partial Committees can be a member of the Central Committee.
3. In individual cases an employee of another organizational unit of STU (usually an employee of the Legal and Organizational unit of the STU rector's office) may be appointed by the director of ÚZ ŠDaJ as a member of the Central committee – the "ad hoc committee member".
4. The ad hoc committee member is appointed by the director of ÚZ ŠDaJ upon previous written approval by the corresponding dean of STU/director of organizational unit/head of organizational unit/quaestor.

Article 7

Investigation and registration of damage

1. The accommodated person who caused the damage or who learned about the damage is required to immediately report the damage to the manager of the accommodation facility; the same applies also in the case when a landlord's employee discovers damage.
2. If damage is found after the accommodated person checks-out, the provisions of article 10 of this internal regulation are applied.

Article 8

Committee procedure for implementation of damage compensation

1. Once the chairman of the Partial Committee finds out that damage has occurred, he/she summons the members of the Partial Committee in order to perform an inspection of the accommodation unit where the damage occurred.
2. Subsequently the chairman of the Partial Committee organizes a meeting of this committee, inviting the accommodated person who caused the damage.
3. At this meeting the Partial Committee shall assess the damage and determine its amount.
4. If the damage was caused to property that cannot be restored to its previous condition, the amount of damage is determined on the basis of the Period of Utility of the property and a percentage compensation of loss (hereinafter the "compensation of damage to irreparable property"), enclosed as attachment 1 to this internal regulation.
5. If the damage was caused to property that can be restored to its previous condition (such as repair of door bolts, hinges, etc.), the amount of damage is determined according to the damage compensation charge list (the "Charge List"). The charge list for every accommodation facility is prepared by the corresponding manager of the accommodation facility. The charge list is approved by the director of ÚZ ŠDaJ. The manager of the corresponding accommodation facility is required to post the charge list at a public place in the accommodation facility managed by him.
6. Damage to property not listed in the Compensation of damage to irreparable property or in the Charge List (e.g., damage to windows, doors, wall paint, floor, ceramic tiling, floor tiling) shall be compensated in the amount of the cost spent to repair such damaged property or a part thereof.
7. The accommodated person who caused the damage shall be allowed by the Partial Committee to make a statement on all circumstances pertaining to the damage.

8. The outcome of the meeting of a Partial Committee is a Damage Protocol (the "Protocol") signed by the chairman of the Partial Committee and by at least one member of the partial committee; a sample Protocol is attached as Attachment 2 to the present internal regulation.
9. The Protocol shall specify the amount of damage and the method of compensation of damage; the accommodated person shall be required to compensate the damage within 15 days from delivery of the Protocol.
10. If the accommodation facility, in compliance with the provisions of art. 442 par. 3 of the Civil Code, requests the compensation of damage by restoring the property in its previous condition, and such restoration is possible and practical, this option shall be included in the Protocol.
11. The Protocol shall be made out in three counterparts, one for the accommodated person who caused the damage, one is sent by the chairman of the Partial Committee to the chairman of the Central Committee and one counterpart will be archived by the accommodation facility where the damage occurred.
12. At the same time the chairman of the Partial Committee presents a Written Acknowledgement of Debt to the accommodated person who caused the damage for signature; a sample form of the Written Acknowledgement of Debt is attached as Attachment 3 to this internal regulation.
13. The Written Acknowledgement of Debt shall be made out in two counterparts, one for the accommodated person who caused the damage and one to be archived by the accommodation facility where the damage occurred.
14. If the accommodated person who caused the damage signs the Written Acknowledgement of Debt but fails to pay or remedy the caused damage within the specified period, the chairman of the Partial Committee shall send the Protocol, together with the remaining documentation related to unpaid damage, to the chairman of the Central Committee. The Chairman of the Central committee shall assign the recovery of damage to the Legal and Organizational Unit of the STU rector's office. If the damage was caused by an accommodated person who is a student of the STU, the chairman of the Central Committee may submit a proposal to initiate disciplinary procedure by the Disciplinary Committee of the corresponding faculty of STU, or Disciplinary Committee of STU.
15. If the accommodated person who caused the damage refuses to sign the Written Acknowledgement of Debt and fails to pay or remedy the caused damage within the specified period, the chairman of the Partial Committee shall send the Protocol, together with the remaining documentation related to unpaid damage, to the chairman of the Central Committee. The Chairman of the Central Committee shall assign the recovery of damage to the Legal and Organizational Unit of the STU rector's office. If the damage was caused by an accommodated person who is a student of the STU, the chairman of the Central committee shall submit a proposal to initiate disciplinary procedure by the Disciplinary Committee of the corresponding faculty of STU, or Disciplinary Committee of STU.
16. Subsequently the chairman of the Central Committee shall request the Disciplinary Committee of the corresponding faculty of STU, or Disciplinary Committee of STU, to send him/her the Resolution on Disciplinary Measures in relation to the caused damage.
17. The Resolution on Disciplinary Measures is used as a basis for the deliberation of the Central committee.

18. Upon receipt of the Resolution on disciplinary measures, the chairman of the Central Committee holds a meeting of the Central Committee, inviting the accommodated person mentioned in the Resolution on Disciplinary Measures.
19. The Central Committee shall enable the accommodated person who caused the damage to make a statement on all circumstances related to the caused damage.
20. The Central Committee subsequently evaluates all circumstances related to the case and proposes a resolution binding the accommodated person to compensate the damage.
21. The Resolution on Compensation of Damage is issued and signed by the director of ÚZ ŠDaJ.
22. If the accommodated person who caused the damage pays the compensation, according to Charge List or Compensation of Damage to Irreparable Property, immediately after it is discovered to the electronic cash registry of the corresponding accommodation facility, the procedures according to articles 8-21 herein shall not be applied. At least once per month, the Partial Committee makes a joint summary protocol covering all damages paid as of the last day of the particular month. The protocol shall include information on the accommodated persons who caused the damage (name, room number, type and amount of damage, date of cash payment of damage).

Article 9

Committee procedures in case of damage caused by several accommodated persons

1. If it is apparent that the damage was caused by several persons who are together accommodated in a single accommodation unit, these persons will be required to provide joint and equal compensation of damage.
2. The provisions of the article 8 of this internal regulation shall be applied accordingly.

Article 10

Procedures in case of damage discovered after check-out

1. When the accommodated person is checking out, a room handover protocol is prepared, listing any damage discovered in the accommodation unit; a sample of this room handover protocol can be found in Attachment 4 to this internal regulation.
2. The room handover protocol is signed by the accommodated person and the staff of the accommodation facility, whereas failure to sign on the part of the accommodated person has no effect on the procedure according to the present article.
3. If damage is found after the accommodated person checks-out, a so-called accelerated procedure is applied.
4. The accelerated procedure means that if damage is found in the room handover protocol, the chairman of the Partial Committee summons the members of the Partial Committee in order to inspect the accommodation unit where the damage was found within 15 days from the checkout of the accommodated person.

5. The Partial Committee determines the amount of damage on the basis of the Compensation of Damage to Irreparable Property or Charge List.
6. Damage to property not listed in the Compensation of Damage to Irreparable Property or in the Charge List (e.g., damage to windows, doors, wall paint, floor, ceramic tiling, floor tiling) shall be compensated in the amount of the cost spent to repair such damaged property or a part thereof.
7. Subsequently the chairman of the Partial Committee invites the person who caused the damage to pay the compensation of damage within 15 days from the receipt of the notice.
8. At the same time the chairman of the Partial Committee notifies the person who caused the damage and who is a student of the STU that if the damage compensation is not paid within the specified time period he will file a proposal to initiate a disciplinary procedure, proceeding according to article 8 of the present internal regulation.
9. If the damage was caused by a person who is no longer a student of STU at the time of receipt of the notice, or is a student of another university in the Slovak Republic, the chairman of the Partial Committee shall notify such person that in case of failure to pay the compensation of the damage within the specified time period, the damage compensation shall be submitted for recovery to the Legal and Organizational Department of the STU rector's office.
10. If the accommodated person who caused the damage pays the compensation, according to Charge List or Compensation of Damage to Irreparable Property, immediately after it is discovered to the electronic cash registry of the corresponding accommodation facility, the procedures according to points 3 to 9 herein shall not be applied. At least once per month, the Partial Committee makes a joint summary protocol covering all damages paid as of the last day of the particular month. The protocol shall include the information on the accommodated persons who caused the damage (name, room number, type and amount of damage, date of cash payment of damage).

Article 11

Procedure in case of damage to common areas

If damage is caused to common areas, the provisions of article 8 of the present internal regulation shall be applied only if the accommodated person who caused the damage is identified.

SECTION III

COMMITTEE RULES OF PROCEDURE

Article 12

Partial Committee rules of procedure

1. The Partial Committee meets as required with respect to the number of damage cases, but no less than once in six calendar months.
2. The meeting is summoned by the chairman of the Partial Committee who also acts as the chair of the meeting.
3. The Partial Committee is allowed to deliberate as long as most of its members are present.

4. Internal organizational matters of the Partial Committee and the discussed damage cases are decided by the Partial Committee by voting upon the chairman's proposal.
5. The proposal is accepted if most of the present members of the Partial Committee voted in favour of it.
6. In case of an equal vote, the chairman's vote shall decide.

Article 13

Central committee rules of procedure

1. The Central Committee meets as required with respect to the number of damage cases, but no less than once in six calendar months.
2. The meeting of the Central Committee is summoned by its chairman.
3. The meetings of the Central Committee are chaired by the chairman or deputy chairman in his absence.
4. The Central Committee is allowed to deliberate as long as most of its members are present.
5. Internal organizational matters of the Central Committee and the discussed damage cases are decided by the Central Committee by voting upon the chairman's proposal.
6. The proposal is accepted if most of the present members of the Central Committee voted in favour of it.
7. In case of equal vote, the chairman's/deputy chairman's vote shall decide.

SECTION IV FINAL PROVISIONS

1. The following attachments are an integral part of this internal regulation:
 - a) Attachment No.1 - Property utility period and percentage compensation of damage,
 - b) Attachment No.2 - Damage protocol,
 - c) Attachment No.3 - Written acknowledgement of debt,
 - d) Attachment No.4 - Room handover protocol.
2. This internal regulation enters validity on 01 December 2015.



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