



OÖ Heimbauverein
Residential Accommodation for
Pupils, Apprentices and Students

Residential Statute

**For all Student Halls of
Residence of the Upper
Austrian Heimbauverein**

Residential Statute

According to §§ 14 and 15 of the Student Halls of Residence Law (StHG)

§ 1 The Upper Austrian Heimbauverein (home building association), thereafter Heimbauverein (HBV), is the responsible legal body for the student halls of residence. Its offices are located in Ziegeleistraße 78a, Linz.

§ 2 The Purpose of the Association

The Association's activities are not profit-orientated. One of its aims is to support students, pupils and apprentices with regard to suitable residential accommodation.

§ 3 Policies of the Association's Administration

(1) The bodies and the employees of the association (Management group) manage the residential accommodation. While carrying out their duties they must observe the principles of efficiency and economy.

(2) Duties of the Management Group

The Management Group has to bear in mind the optimal use of the available facilities. It also has to deal with the correspondence of applicants, their personal visits and prepare the proper documents for the administration of the applications and new admissions to the residential accommodation or the renewal of a residential place.

§ 4 The Tenants' Representative Body

According to § 7 (1) all tenants are responsible for organising the election of members of the Tenants' Representative Body and its chairperson for the period of one year. The duties of the Tenants' Representative Body are laid down in § 8 (1) of the Ordinance (StHG).

§ 5 Rules for Tenants

(1) The tenants are obliged to comply with the regulations of officers of the Association and of the Management Group, the regulations of the Ordinance of the student halls of residence, the Residential Statute and the Residential Regulations.

(2) According to § 6 to the StHG the tenants have the following rights which cannot even be curtailed by the Terms of Contract.

- a. The right to enter and leave the student halls of residence at any time;
- b. The right to keep their room locked at any time. However, for cleaning and/or repairs persons authorised by the proprietor (HBV) must be allowed access after prior notice. In addition, in order to avert imminent danger no prior notice for entering a room/flat is necessary;

- c. The right to carry out changes in the room/flat and to use electrical equipment in accordance with the stipulations of Residential and fire safety regulation;
- d. The right to receive without hindrance visits from other tenants and from non-resident persons according to the Ordinance of the student halls of residence;

(3) The Residential Regulations of the proprietor (HBV) apply.

§ 6 Termination of the Contract

- (1) The tenant can give notice to terminate the Contract with a notice period of 1 month on the last day of the month. The notice of termination must be forwarded in writing to the Management Group.
- (2) The proprietor (HBV) can terminate the Contract before the expiry of the Contract at the earliest at the following calendar month under the following circumstances
 - a. If the studies have been completed or terminated;
 - b. The tenant does not use the residential place himself/herself;
 - c. The tenant has substantially exceeded the normal duration of studies;
 - d. The tenant is guilty of criminal activities to the detriment of other tenants, the proprietor or the Association's employees.
 - e. The tenant, in spite of having received written warnings and a threat of termination, commits some gross misdemeanours in contradiction to the agreed obligations as stated in the Ordinance (StHG) or the Terms of Contract (such as improper and repeated noise disturbances or dirt nuisance within the area of the residential accommodation).
- (3) If a tenant is guilty of criminal activity to the detriment of other tenants, the proprietor (HBV) or its employees (or causes an imminent danger to the residential accommodation, to other tenants or employees of the proprietor), the proprietor is entitled to terminate the Contract with immediate effect after a hearing of the Tenants' Representative Body.

§ 7 Fees

The decision on the precise amount of the fees is the responsibility of the Board of Directors according to § 13 (1) StHG. The fee is subject to adjustment according to the yearly index alignment every September.

§ 8 Policies for the Allocation of Residential Places

- (1) Only applicants who fulfil the requirements of § 4 of the StHG will be accepted as tenants. If student halls of residence are not fully occupied, it is possible to have short-term guest contracts, and in such cases, the period of the contract must not exceed the academic year. It is possible to have guest contracts with persons who are not students according to § 4. Such persons will be charged a higher fee
- (2) It is possible to apply for a place via our homepage www.ooe-heimbauverein.at or in writing to the administration in Ziegeleistraße 74a, 4020 Linz.
- (3) The Management Group always decides as to the acceptance of an application in accordance with § 11 of StHG. There are no entitlements to specific rooms.
- (4) First year students are not entitled to a contract of less than a year. After the first year, the contract has to be renewed for another year until the end of the average period of study of the elected subject.

§ 9 Details of rooms for residential use and community use: Residential places are those rooms that have been allocated to tenants for living in. Community room are those rooms that are available to tenants for communal use.

§ 10 Other legal requirements, the rights and duties pertaining to the running of the student halls of residence are as follows:

Ordinance of the Student Halls of Residence (StHG)

Residency Registration Law

Article VIII EGVG (Einführungsgesetz zu den Verwaltungsverfahrensgesetzen = Introductory Law to the Administration Process Law)

Compulsory registration for a broadcasting licence

The display on the notice board of the student halls of residence of the regulations of the fire protection regulations

Specific advice in connection with a fire alarm system for the student halls of residence and the regulations in the case of a fire

Notices of the building police and the fire police

Notices of the Occupational Health Inspectorate

The local regulations with regard to the locking up of apartment block doors

The legal regulations with regard to the holding of events

Ordinance of the Student Halls of Residence (StHG): www.gmbwk.gv.at