

Publicity of Real Estate Claims and Judicial Decisions in Algerian Legislation

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Abstract:

The Algerian real estate legal framework has outlined and defined procedures and systems for the publicity of various claims and judicial decisions pertaining to real property. With respect to real estate claims, the Algerian legislature has granted a scope for challenging publicity rights. Despite the evidentiary strength of the real property publicity system adopted by the Algerian legislature, it does not purge publicity rights of their defects.

On this basis, it grants individuals adversely affected by publicity rights the right to seek contestation. The legislature has mandated that real estate claims be subject to marginal notation on the property card, in accordance with Article 72 and Article 85 of Decree No. 76/63 dated March 25, 1976. Regarding the publicity of judgments and judicial decisions, these are also subject to real estate publicity procedures, as stipulated in Article 14, Paragraph 2 of Ordinance No. 75/74 dated November 12, 1975.

Keywords: Publicity Rights; Publicity Systems; Real Estate Card; Real Estate Publicity.

Introduction:

Publicity is a set of legal rules and procedures aimed at informing the public about all legal transactions pertaining to real property, whether they are declaratory, constitutive, transferring, terminating, or modifying an original or accessory real property right. Real estate publicity also aims to inform third parties of their rights and provide access to information regarding publicised deeds, thereby ensuring property rights and other real property rights.

While notarized official deeds concerning real estate are subject to publicity, judicial claims relating to real property rights and judicial decisions issued by ordinary and administrative courts at various levels are also considered official documents requiring publicity with the real estate registry, when they concern real estate or original or accessory real rights⁽¹⁾.

Consequently, the process of real estate publicity in our country is

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no longer limited to legal transactions involving real estate but extends to real property claims and judicial decisions. The Algerian real estate legal system has defined publicity systems for various claims and judicial decisions related to real property. It has mandated that real estate claims be subject to marginal notation on the property card, in accordance with Article 72 and Article 85 of Decree No. 76/63 dated March 25, 1976, which was further confirmed by Article 519 of the Code of Civil and Administrative Procedure. Orders, judgments, and judicial decisions concerning real estate are also subject to real estate publicity procedures, as stipulated in Article 14, Paragraph 2 of Ordinance No. 75/74 dated November 12, 1975.

However, the publicity of these claims, judgments, and judicial decisions is not as straightforward in practice as it might appear. Rather, it may encounter certain obstacles and difficulties, which make the process somewhat complex and complicated.

Therefore, the issue raised here concerns the legal nature of the publicity of real estate judicial claims. Furthermore, are all real estate claims, judgments, and judicial decisions subject to the publicity process?

• What are the difficulties that may face the process of filing and publicizing judgments and judicial decisions related to real property?

To address these questions, the present analysis will be divided into two main chapters. The first chapter examines the types of real estate judicial claims subject to the publicity process and the legal nature of such publicity. The second chapter analyzes the real estate judgments and judicial decisions requiring publicity and the obstacles encountered in implementing this procedure.

Chapter I: Publicity of Real Estate Judicial Claims:

The law empowers the rights holder, regardless of the nature of the right, to protect it through various means, most importantly by resorting to the competent judiciary through filing a lawsuit.

Accordingly, the Algerian legislature granted a scope for challenging publicized rights. Although the real estate publicity system adopted by the Algerian legislature has strong evidentiary force, it does not purge publicized rights of their defects. On this basis, it granted those adversely affected by publicized rights the right to request contestation⁽²⁾.

Moreover, judicial claims aimed at rescinding, cancelling,

nullifying, or challenging rights arising from publicized documents can only be accepted if they have been previously publicized. In other words, the claimant or rights holder must complete this procedure for their claim to be admissible.

Proof of this publicity must be established through a certificate issued by the Real Estate Registrar or by submitting a copy of the request bearing the publicity annotation.

The Real Estate Division is competent to hear claims related to rescission, modification, nullification, or challenging of rights arising from publicized deeds, as inferred from Article 519 of the Civil and Administrative Procedures Code⁽³⁾.

Accordingly, the Algerian legislature specifically designated certain types of real estate judicial claims on a strictly exhaustive basis and mandated their publicity on property cards at the Real Estate Registry, by recording them in the register of documents concerning the real property subject to judicial claim⁽⁴⁾. These claims are as follows:

1- Types of Real Estate Judicial Claims Subject to Publicity:

Article 85 of Decree 76-63 enumerates the types of real estate claims subject to mandatory publicity, specifically: claims for rescission, annulment, cancellation, and reversal. Article 519 of the Code of Civil and Administrative Procedure reinforces this article while adding another type of claim, namely the claim for modification⁽⁵⁾.

A- Action for Rescission:

Rescission is defined as the dissolution of a contractual relationship based on the request of one of the contract's parties in the event that the other party breaches its contractual obligations. This breach may be either a complete failure to perform the obligation or a delay in performing the obligation. The general rule is that rescission cannot be affected by unilateral will unless the law or the agreement provides otherwise.

To establish rescission, either the debtor's consent or a court judgment is required. To achieve this issue, an action for rescission must be filed, in which the creditor demands the dissolution of the contractual relationship due to the debtor's breach of contractual obligation. However, before filing for rescission, the creditor is obligated to serve a notice to the debtor demanding the fulfilment of the obligation, as per Article 119⁽⁶⁾, Paragraph 1 of the Algerian Civil Code. If the debtor fails to comply, the creditor may then file for



rescission.

However, the real estate publicity law mandates subjecting the initial petition of such claims, which concern real property or a real property right of any kind, to the publicity process through annotation. Specifically, the petition must be publicized if the claim relates to a previously publicized real property or real property right, and this publicity occurs at the Real Estate Registry, as confirmed by Article 17 of the Civil and Administrative Procedures Code.

The initial petition of the claim is served to the Real Estate Registrar to be annotated in the property card and presented at the first hearing before the judge⁽⁷⁾.

The legislature established this requirement because rescission has a retroactive effect, meaning it restores the parties to their pre-contractual state. This implies that property ownership can be retroactively eliminated. Additionally, this process ensures that those dealing with the property are informed about its status and to whom ownership will be transferred following the rescission.

B- Action for Modification:

An action for modification is a claim in which the plaintiff seeks to amend the contract without demanding its complete annulment. For example, modifying a land title to remove incorrect information. Thus, the action is brought to amend the land title by deleting erroneous entries⁽⁸⁾. This type of action is provided for in Article 519 of the Code of Civil and Administrative Procedure but was omitted from Article 85 of Decree 76/63 concerning the establishment of the land registry.

The legislature has mandated the publicity of claims seeking modification of a property's legal status because such modifications affect the real estate unit in terms of its area, boundaries, or location, and third parties and those dealing with the property must be informed of such modifications.

Furthermore, no modification of a property's legal status can be the subject of a land survey transfer if the deed or judicial decision establishing this modification has not been previously publicized in the property card collection.

C- Action for Annulment:

A voidable contract is a contract that is fundamentally valid, but threatened with nullification if a judicial claim is brought by the party with an interest in annulment, specifically the annulment of the

publicized property transfer. The contract remains valid unless the party with a legitimate interest challenges it through a judicial claim, which is known as an annulment action.

If the contract is determined to be void, it becomes as if it never existed, similar to a contract nullified by absolute nullity. The contracting parties are returned to the state they were in before the contract was concluded. If the annulment of the contract is impossible for any reason, compensation may be awarded, and such compensation must be equivalent.

Consequently, the new owner's right is threatened with retroactive elimination, and thus may potentially lose ownership. Therefore, the annulment claim must be publicized to inform third parties, particularly the new owner, that their right is threatened with elimination.

D- Action for Reversal:

This action is brought to demand the reversal of an amicable partition. Partition is a procedure aimed at transitioning an owner from joint ownership to exclusive ownership, allowing them to independently manage their allotted share⁽⁹⁾.

The Algerian legislature has defined the provisions and methods for exiting joint ownership in accordance with Article 722 and subsequent articles of the Civil Code. However, Article 732 of the Civil Code grants a co-owner who has suffered a loss exceeding one-fifth in an amicable partition the right to seek its reversal in court. The co-owner may demand the reversal of the amicable partition if they can prove they suffered a loss exceeding one-fifth as a result of that partition⁽¹⁰⁾.

Accordingly, a partition agreement made by mutual consent may be rejected or deemed unacceptable if one of the co-owners proves that they have suffered damage in the form of prejudice exceeding one-fifth (1/5) of the property's value. The assessment of prejudice shall be based on the value of the property at the time of partition, and the claim challenging the partition must be filed within the year following the partition.

The requirement to publicise a judicial action aimed at reversing a partition is to inform third parties of the possibility of returning to the state of joint ownership that existed before the amicable partition, in the event the action is accepted and judgment is rendered accordingly.

E- Action for Cancellation:

An action for cancellation is defined as "an objective and in rem

administrative judicial action initiated and brought by those with legal standing and interest before the competent judicial authorities in the state to demand the cancellation of unlawful administrative decisions. The powers of the competent judge in this action are limited to investigating the legality of the administrative decisions challenged for illegality and ruling to cancel these decisions if their illegality is confirmed, through a judicial decision with general and absolute authority"⁽¹¹⁾.

This action is provided for in Article 85 of the Decree on the establishment of the land registry but not in Article 519 of the Code of Civil and Administrative Procedure.

Therefore, cancellation actions are brought to judicially demand the cancellation of contracts and administrative decisions transferring real property ownership, considering that contracts and administrative decisions are means of transferring real property ownership in Algerian legislation. The intent here is to cancel unlawful contracts and administrative decisions.

2- Legal Nature of Publicising Real Estate Judicial Claims:

The question arises: Is the publicity of real estate judicial claims a mandatory or optional procedure?

A judicial controversy has emerged regarding the legal nature of publicising real estate judicial claims, with two main perspectives:

1. The first group views subjecting the initial petition of a real estate action concerning the validity of a transaction to publicity as a mandatory procedure. They argue that publicising real estate claims is a prerequisite for filing actions challenging the validity of publicity documents, as per Article 85 of Decree 76/63, under penalty of inadmissibility.

2. The second group considers it an optional procedure, arguing that publicising real estate judicial claims at the land registry is not a constraint. They contend that Article 85 contradicts the general rules regarding procedures for filing lawsuits and conditions for their admissibility as stipulated in the Code of Civil Procedure, which only requires standing and interest from the plaintiff and does not mention this constraint as a condition for accepting the lawsuit, and the law did not stipulate this constraint as a condition for accepting the claim, which was introduced by this article as we previously mentioned.

Moreover, the publicity of real estate claims was legislated to

protect the plaintiff and safeguard their rights, informing third parties that the property is subject to litigation. Publicity is not imposed on the plaintiff, and the defendant cannot argue non-publicity of the claim, nor can the court raise this issue⁽¹²⁾.

Consequently, there is a conflict between the provisions of the Code of Civil Procedure and those of Decree 76/63. In case of conflict between ordinary legislation and subsidiary legislation, the subsidiary legislation is set aside in favour of the ordinary legislation⁽¹³⁾.

On this basis, the judiciary did not agree on a single opinion until the issuance of the Code of Civil and Administrative Procedure in 2008. In this code, the legislature confirmed the necessity and obligation of publicising real estate claims limited to those mentioned in Article 85 of the Decree establishing the land registry and Article 519 of the Code of Civil and Administrative Procedure. This is in accordance with Article 17, which states: "The petition for filing the action must be publicised with the land registry if it relates to publicised real property and/or a real right in accordance with the law, and presented at the first hearing of the case under penalty of formal inadmissibility unless proof of its submission for publicity is provided."

Therefore, the publicity of claims has become mandatory, and proof of publicity before the court can be established in two ways:

- Either by a certificate issued by the land publicist in whose jurisdiction the disputed property is located.*
- By annotation at the bottom of the initial petition indicating that publicity has been completed.*

If publicity is necessary for real estate judicial claims, what is the fate of real estate judicial judgments and decisions resolving disputes over real property ownership or original real rights in terms of publicity?

Chapter II: Land Publicity of Real Estate Judicial Orders and Judgments:

According to the general rule, all legal transactions involving real property only take effect from the date of their publication in the Real Estate Registry, as stipulated in the Civil Code. This requirement for transferring ownership and other real property rights applies both between the contracting parties and in relation to third parties, necessitating compliance with the procedures outlined in various laws, particularly those governing real estate publication.



In accordance with Article 14, Paragraph 2 of Decree 75/74 dated 12 November 1975 concerning the preparation of general land surveying and establishment of the real estate registry, the following must be noted when maintaining the property card collection:

All deeds and judicial decisions subsequent to the initial procedure that established the property card collection, and subject to publicity under the currently applicable legislation. As well as registrations of mortgages or privileges.

Furthermore, no modification of the property's legal status can be made if the deed or judicial decision establishing such modification has not been previously publicized in the property card collection⁽¹⁴⁾.

This means that the legislature did not differentiate between final judicial orders and judgments issued by various judicial bodies relating to real rights and other official documents as property deeds. It also obligated notaries, judicial officers, and court clerks and secretaries, each within the limits of their competence, to publicise them within the legally prescribed deadlines, in accordance with Articles 90 and 99 of Decree 76/63 concerning the establishment of the land registry⁽¹⁵⁾. However, the question arises: Which judicial judgments are subject to the publicity process?

1- Judicial Decisions Subject to Publicity Process:

Judicial decisions, according to Article 8 of the Civil and Administrative Procedures Code, refer to judgments and judicial decisions issued by ordinary and administrative judicial bodies in accordance with Article 1 of the same law.

Final real estate judicial decisions and rulings vary according to the diversity of legal transactions that can be applied to real estate. These decisions do not create, modify, or terminate real rights; rather, they are merely declaratory (recognizing existing rights) or transferring original real rights, with the exception of the right of specification, for which they are constitutive and which is a dependent real right.

Accordingly, real estate judicial decisions and rulings can be classified into two categories:

- 1. Decisions transferring original real estate rights*
- 2. Decisions declaring (recognizing) original real estate rights*

A- Judicial Decisions Transferring Original Property Rights:

These decisions may be summarized as follows:

- Judgment of Adjudication in Public Auction for the Sale of Real

Estate or Real Property Rights:

Article 762 of the Code of Civil and Administrative Procedure⁽¹⁶⁾ mandates that the judicial officer register the judgment of adjudication in public auction, which constitutes the title deed, with the Land Registry within two months of its issuance. By virtue of the judgment decreeing the adjudication in public auction, all rights of the judgment debtor that were vested in the real estate and ancillary real rights are transferred to the successful bidder.

The publicity of the judgment of adjudication with the Land Registry results in the purging of the real estate or real property right from all real securities with which it was encumbered. The purging of the real estate signifies that creditors holding ancillary real rights, such as privileges, rights of allocation, or formal mortgages, are precluded from pursuing the property in the hands of the purchaser who has been awarded the bid. Their sole recourse is limited to a right of priority over the proceeds generated by the sale.

- Judicial Decision Confirming the Right of Pre-emption:

The subject of pre-emption is addressed in Articles 794 to 807 of the Civil Code, which define it as an option granted to an individual, termed the pre-emptor, to substitute the buyer in a real estate sale contract under specific circumstances prescribed by law. In the event that the pre-emptor asserts their right of pre-emption and declares their intention to exercise it, and the buyer (against whom pre-emption is exercised) does not comply, that is, the buyer refuses to allow the pre-emptor to assume their position in the real estate purchase—the pre-emptor may resort to judicial proceedings against both the seller and the buyer⁽¹⁷⁾. Through these proceedings, the pre-emptor may obtain a judicial decision enabling them to substitute the buyer, thereby transferring ownership of the real estate or real right to them, whereas a final judicial determination affirming pre-emption (shuf'a) shall be considered a title document for the pre-emptor's ownership, without prejudice to the rules related to real estate publicity; specifically, the judgment transferring ownership to the pre-emptor must be published with the Real Estate Registry.

Consequently, the final judicial decision confirming the pre-emption is considered a transfer of ownership, specifically, the ownership of the real estate from the buyer to the pre-emptor—which legally necessitates the completion of publicity procedures with the Land Registry.



-Judicial Decision Confirming a Promise to Sell:

Pursuant to Article 72 of the Civil Code, the promisee may obtain a judicial decision from the competent judicial authority that serves in lieu of the contract or sale if the promisor refuses to complete the sale or reneges on their promise. This decision must be annotated in favour of the promisee in the real estate card index to generate a real right. It shall be binding on both contracting parties and third parties, effecting the transfer of real estate ownership to the promisee without prejudice to the formal requirements. This principle was affirmed by the Supreme Court in its Decision No. 145760 dated 07-04-1996, stating: "While the law empowers the judge to issue a judicial decision that serves in lieu of the contract in the event that the other party reneges on executing the promise, it nonetheless stipulates the necessity of fulfilling the formal conditions in the promise to sell."⁽¹⁸⁾

B- Judicial Decisions and Rulings Declaring Real Property Rights:

These provisions can be summarized as follows:

- Final Judicial Decision on the Division of Joint Property:

The division of property is considered a legal act that reveals ownership rights and other real property rights. The general rule is that division occurs by agreement among co-owners through a division contract. Amicable division is executed via a formal contract between the partners of jointly owned property, resulting in the isolation of each partner's share. If amicable division proves unfeasible, recourse to the judiciary is made in accordance with Article 724 of the Civil Code. Judicial division is conducted by lottery, with the court recording this in its minutes and issuing a decision granting each partner their separate share, as stipulated in Article 727 of the Civil Code⁽¹⁹⁾. The judge's decision in this instance is declaratory, revealing the rights of the participants from the date of their joint ownership.

- Final Judicial Decision Issued for Settlement:

Occasionally, litigants may resolve a dispute over real property ownership through settlement, as recognized by legislation in the Civil Code. The Code of Civil and Administrative Procedures of 2008 delineated the procedures for settlement, rendering the resultant settlement record an enforceable instrument without the need for a ratifying judgment. Consequently, the settlement substitutes for a judicial decision. The real effect transferring real property ownership

necessitates the publicity of this settlement record with the Land Registry to make it enforceable between the parties and against third parties.

- Judgment Confirming Ownership through Acquisitive Prescription:

In accordance with legal rules pertaining to possession, a possessor may draft a notarized certificate of notoriety to prove ownership through acquisitive prescription if uncontested. However, if contested by another party, the possessor may file a claim before the Real Estate Division to confirm ownership through acquisitive prescription, provided the conditions are met.

Upon issuance of the judgment confirming ownership based on acquisitive prescription, it becomes a title deed confirming ownership that must be publicised with the Land Registry via a deposit deed drafted by a notary⁽²⁰⁾.

2- Judicial Orders Subject to Real Estate Publicity:

A- Precautionary Attachment Orders on Real Estate:

Pursuant to Article 652 of the Code of Civil and Administrative Procedure, precautionary attachment of the debtor's real estate is permissible by order of the court president. This order must be publicised with the Land Registry within fifteen (15) days of its issuance, under penalty of nullity.

This publicity serves as a precautionary measure by which the creditor secures their right until obtaining a final judgment on the merits of the debt.

B- Execution Orders on Publicised Real Estate and Real Rights:

The Algerian legislator addressed provisions relating to execution on publicised real estate and real rights in Chapter Five of Part Four, Articles 721 to 774 of the Code of Civil and Administrative Procedure.

To conduct an execution, certain conditions must be met:

- *The creditor must possess an enforceable title.*
- *A payment obligation notice.*
- *A report confirming the absence or insufficiency of the debtor's movable assets.*
- *An extract from the property deed and a real estate certificate proving the debtor has not transferred ownership.*

If these conditions are met, the creditor may proceed with the attachment by obtaining an attachment order within eight (08) days

from the date of filing the request.

According to Article 725 of the Code of Civil and Administrative Procedure, the judicial officer must file the attachment order with the Land Registry in whose jurisdiction the property is located on the day immediately following the official notification.

The land registrar must complete the publicity procedures by delivering a real estate certificate to the judicial officer or the attaching creditor, including all encumbrances and rights burdening the property or real right, as well as the names and domiciles of the creditors.

The execution on real estate or a real property right only takes effect from the date of its publicity with the Land Registry, as per Article 731 of the Code of Civil and Administrative Procedure.

3- Obstacles That May Face the Publicity Process of Real Estate Judicial Decisions:

Questions may arise regarding the person or entity responsible for publicising final judicial decisions related to real property rights with the Land Registry. In this regard, the notary's competence to perform this operation may be questioned, especially since judicial decisions are issued without reference to this procedure, which renders the judicial decision ineffective without its execution, particularly in terms of its enforceability against parties or third parties.

A- Jurisdictional Perspective:

Article 90 of the Real Estate Publicity Law mandates that notaries and court clerks are legally responsible for publishing deeds and judicial decisions subject to the publicity process. This raises a potential jurisdictional conflict between court clerks and notaries regarding the publicity of judicial rulings, specifically a conflict of competence.

To prevent such conflicts, final judicial rulings should specify the authority competent to publish the final judicial decision. Alternatively, a solution can be found by distinguishing between two types of final judicial decisions related to real estate property rights.

Final judicial rulings related to immovable property rights that do not conclusively resolve the matter shall be published by court clerks. Conversely, judicial decisions ordering property ownership transfer, ownership declaration, or termination—which impact the real estate unit in terms of owners, area, or boundaries—fall under notaries' publication jurisdiction.

The final judicial ruling must specify the authority responsible for depositing judicial decisions for publicity purposes. This specification prevents real estate registrars from arbitrarily refusing publication without substantive grounds.

B- Subject Matter Perspective:

Certain difficulties may arise in the publicity of final real estate judicial rulings, varying based on the ruling's subject matter. Notaries might encounter challenges publishing certain judicial decisions, which include-but are not limited to-the following:

The translation maintains the legal tone and structure of the original text, preparing for a list of specific examples that would follow in the original document. It signals that a detailed enumeration of challenges is forthcoming, while preserving the technical legal language.

- Absence of Shared Property Valuation in the Judgment:

According to Article 724 of the Civil Code, when appointing an expert to prepare shares, the judge must assign the task of valuing the shared property and each partner's share. This is for the purpose of publicity to allow the state to collect its dues before publicity with the Land Registry. A judicial decision lacking this valuation prevents the notary from publicising it with the Publicity and Stamp Department of the Tax Administration.

- Experts' Failure to Rely on the Land Register in Division Cases:

One of the issues notaries face when depositing division judgments based on expertise is the failure of court-appointed experts in surveyed areas to rely on the land register, instead using old deeds drawn up under the personal publicity system. This creates difficulties in execution, whereas the sole proof of real estate ownership in surveyed areas is the land register⁽²¹⁾.

- Publicity of Division Judgments After Their Prescription:

Some real estate registrars refuse to publicize judicial decisions, claiming they have expired after the legally prescribed period of fifteen (15) years. This is a misinterpretation of the law, as judicial ruling expiration is not a matter of public order and must be declared by a judicial decision. Therefore, the real estate registrar is obligated to publicise a judicial decision even if fifteen (15) years or more have passed since its issuance, unless there is a judgment declaring the prescription of the decision to be publicised.



- Depositing Auction Adjudication Judgments:

Notaries may deposit auction adjudication judgments for publicity, but the land publicist may refuse to carry out the publicity due to the notary's lack of competence in the deposit process. This is in accordance with Article 762, paragraph 2 of the Code of Civil and Administrative Procedure, which states: "The judicial officer must publicise the auction adjudication judgment with the Land Registry for publication within two months from the date of its issuance." Despite this article contradicting Article 90 of Decree 76/63 on the establishment of the land register, which indicates that notaries, court clerks, and administrative authorities are legally authorized to publicise deeds, judgments, and decisions within their respective jurisdictions, this allows the land publicist to refuse publicity deposited by a notary.

- Disposition of a Co-owner's Share During the Course of Proceedings:

This issue arises when the notary deposits a division judgment for publicity with the Land Registry and finds that the owner has changed. In this case, the new owner must file a third-party opposition to the litigation in accordance with Article 381 of the Code of Civil and Administrative Procedure to replace the co-owner (the seller). Consequently, both judgments are publicised together: the division judgment and the judgment issued in the opposition case, by which the buyer replaces the partner.

Conclusion:

The publicity of real estate lawsuits and judicial decisions is of great importance as this procedure allows for informing third parties about the legal status of the property, both in terms of its owners and the property itself, including its area or boundaries, etc.

The filing of lawsuits and judicial decisions must be done in the official form prepared by the competent official. They are also subject to publicity and must be done within the deadlines specified by law. This leads to the stability of transactions relating to real estate and embodies the legal protection of real property rights.

After this study of the subject, and to avoid, even if only some of the problems that hinder the publicity of real estate lawsuits and judicial decisions, the following can be suggested:

- The necessity for judges to be careful when appointing experts in

the field of division to define their tasks accurately.

- *Judges should adhere to what is stipulated in the law, especially in the field of division of jointly owned property, and not create restrictions that are not stipulated in the law related to that.*

- *Land publicists should adhere to legal texts and not refuse to file judicial decisions without any legal justification.*

These recommendations aim to streamline the process of publicising real estate lawsuits and judicial decisions, thereby enhancing the efficiency and effectiveness of the real estate publicity system. By addressing these issues, it is possible to reduce conflicts, ensure greater legal certainty, and protect the rights of all parties involved in real estate transactions.

The importance of this subject lies in its direct impact on the stability of real estate transactions and the protection of property rights. A well-functioning system of publicising lawsuits and judicial decisions related to real estate contributes to a more transparent and reliable real estate market, which in turn can have positive effects on the broader economy and social stability.

In conclusion, while the current system has its merits, there is room for improvement. By implementing these suggestions and continuing to refine the process based on practical experiences, it is possible to create a more robust and efficient system for publicising real estate lawsuits and judicial decisions, ultimately benefiting all stakeholders in the real estate sector.

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