

Charles University

Rector's Directive No. 4/2022

Title:

Rules for the Provision of Starter Flats at Charles University

Responsible department:

Legal Department

Date of effect:

15 January 2022

Rules for the Provision of Starter Flats at Charles University

Article 1

Fundamental Provisions

1. These Rules for the Provision of Starter Flats at Charles University (“Rules” and “University”) govern the procedure and basic requirements for the provision of starter flats to employees of the University (“employees”).
2. For the purposes hereof, a starter flat means a flat located in a building owned or co-owned by the University, reserved by the Rector for junior academics and researchers of the University in accordance with the Property Management Rules of the University.
3. Starter flats are designed for, in particular, junior academics and researchers at the start of their career with urgent housing needs for themselves, their family, minor children, or children or close persons in their care.

Article 2

Application for the Provision of a Starter Flat

1. An employee may apply for the provision of a starter flat provided that the following requirements are met:
 - a. the applicant has or will have reached no more than 34 years of age in the calendar year of the application,
 - b. the applicant’s total FTE at the University, including any employment at a University hospital, corresponds to 1.0,
 - c. the applicant has entered into an employment contract for the position of academic or researcher,
 - d. the applicant has entered into an employment contract for a period of at least one year or into a permanent contract, and
 - e. the applicant has not been provided a starter flat in the past.

If an employee fails to comply with any of these requirements, he or she must indicate this fact in the application and provide a justified reason why his or her application should be approved despite this failure to comply.

If the employee can prove that he or she cares for a child or another close person, the requirement under Art. 2 (1) (b) hereof does not apply, that is, the employee’s FTE may be lower than 1.0.

2. A starter flat may be provided if the following requirements are met:

- a. in the previous calendar year, the average monthly income of persons assessed jointly with the employee under Act No. 110/2006 Sb., to regulate the minimum living amount and the minimum subsistence amount, as amended, did not exceed the tenfold of the minimum living amount for an individual, or, in the case of a household with multiple members, the elevenfold of the minimum living amount for the first member of the household increased by the threefold of that amount for another member of a household and, at the same time,
 - b. the employee is not an owner of a flat or a house which could be a solution to his or her housing needs while working at the University.
3. The applicant submits a written application for the provision of a starter flat (“application”), accompanied by an opinion of the dean of the faculty or director of another unit which employs the applicant, to the University Rectorate during the application submission period; the application form, including a list of the compulsory annexes proving compliance with the requirements set out herein, is provided in the appendix hereto.

Article 3

Committee for the Provision of Starter Flats

1. The Committee for the Provision of Starter Flats (“Committee”) is established as an advisory body to the Rector of the University for the purposes of the assessment of the applications. The Committee is composed of seven members nominated from among the members of the academic community of the University. Two members of the Committee are appointed by the Rector on the basis of a nomination of the Academic Senate of the University, one member is nominated by the Trade Union Coordination Board of the Higher Education Trade Union of the University, and four members are appointed of the Rector’s own initiative. Members of the Committee are appointed for a five-year term of office. A member of the Committee may be removed from his or her office before the expiry of his or her term of office by the Rector; the Rector removes the given member from his or her position if the member’s removal is proposed by the person who had nominated him or her or if the person is no longer a member of the academic community. A member of the Committee may resign his or her membership. In such case, a letter of resignation must be sent to the Chair of the Committee as well as to the person who nominated the given member. The Committee elects the Chair and the Vice-Chair from among its members.

2. The Committee is headed by the Chair, who acts on behalf of the Committee in all matters and is accountable for its activities to the Rector. In the case of the Chair's absence, his or her responsibilities are performed by the Vice-Chair.

Article 4

Powers of the Committee and the Chair

1. The powers of the Committee include the following:
 - a. assessing the applications for the provision of a starter flat and submitting opinions on the individual applications to the Rector, either recommending or not recommending the provision of a starter flat,
 - b. verifying the truthfulness of the information provided in the applications, or requesting further information if the Committee concludes that such additional information is necessary, unless such request would be contrary to legal regulations.
 - c. determining the application submission deadlines with regard to new or newly available starter flats, on the basis of a proposal of the Chair of the Committee approved via email communication between the members of the Committee,
 - d. recommending, if it so deems appropriate, that the Rector grant an exemption under Art. 6 (5) hereof if an applicant fails to meet one of the requirements under Art. 2 (1) hereof,
 - e. electing the Chair and Vice-Chair of the Committee and removing them from office, and
 - f. acting on other matters if authorised to do so by the Rector.
2. The powers of the Chair of the Committee include the following:
 - a. convening the meetings of the Committee by sending electronic invitations to the members thereof,
 - b. managing the meetings of the Committee,

- c. proposing the application submission deadlines with regard to new or newly available starter flats,
 - d. publishing the application submission deadlines on the internet,
 - e. drafting the minutes of the meetings of the Committee and the publication thereof on the CU website, unless such publication would be contrary to legal regulations,
 - f. issuing the Committee's opinions and publication thereof on the CU website,
 - g. organising remote voting in accordance with Art. 5,
 - h. acting on other matters if the Chair of the Committee is authorised to do so on the basis of the Committee's decision or by the Rector.
3. The Chair of the Committee must convene a meeting whenever requested to do so by the Rector or by at least one half of all members of the Committee.

Article 5

Quorum and Decision-Making of the Committee

1. The meetings of the Committee are held as necessary when a starter flat becomes newly available, after being convened by the Chair of the Committee or by the Vice-Chair of the Committee in the case of the Chair's absence.
2. The meetings of the Committee are closed to public. In exceptional cases, the Committee may decide to open a meeting to the public subject to the prior approval of the Rector.
3. If the number of the applicants does not exceed the number of available starter flats, the Committee need not meet in person, in which case the Committee assesses the applications on the basis of email communication between the members and decides remotely on the assignment of specific starter flats to the individual applicants. Email communication and remote voting are organised and managed by the Chair of the Committee or by the Vice-Chair in the case of the Chair's absence.
4. The Committee has a quorum if a majority of its members is present, or in the case of remote voting, if a majority of its members take part in the vote.

5. Each member of the Committee holds one vote. The Committee votes by a simple majority of all members present; should there be an equal number of votes, the decisive vote is held by the Chair of the Committee or by the Vice-Chair in the case of the Chair's absence.

Article 6

Submission and Assessment of Applications

1. The application submission deadlines are determined by the Committee with regard to new and newly available starter flats; the deadlines, including the specification of the starter flats currently available and the conditions of the lease, are sent to the faculties and other units, and published on the website of CU and the individual faculties.
2. The Committee issues opinions on the applications on the basis of compliance with the requirements hereunder, while considering, in particular, the following factors:
 - a. the applicant's social situation, in particular, whether he or she is applying for the flat with his or her family, child, or another close person in his or her care,
 - b. the contribution and future potential of the employee's research, scholarly, and other creative activities, and in the case of academics, the future potential of their pedagogical activities, and the significance thereof for the University and the given department, and
 - c. the necessity of a temporary solution to the employee's housing needs.
3. The Committee issues an opinion on the applications no later than within thirty days of the application submission deadline.
4. The minutes of the meetings of the Committee, opinions issued, total number of flats, and information on current and planned availability of starter flats are published on the internet, unless the publication thereof would be contrary to legal regulations.
5. The decisions on applications are made by the Rector on the basis of the Committee's opinion. Should the Rector diverge from the Committee's opinion, he or she must provide due justification for such decision. In cases worthy of

special consideration, the Rector may waive a requirement under Art. 2 (1) hereof on the basis of a recommendation made by the Committee.

6. The notification of the decision to provide a starter flat to an employee contains information on the provision of a flat including the identification thereof, on the period for which the flat will be provided, and on the fact that such notification entitles the employee to enter into a lease agreement under the specified terms and conditions.

Article 7

Lease Agreement and Rent

1. The starter flat lease agreement (“Lease Agreement”) is entered into for a period of one year, unless the University and the employee agree on a shorter period; the lease may not continue after the expiry of the employment contract entered into with the employee in the case of a fixed-term contract, nor continue in the calendar year following the calendar year in which the employee reaches the age of 35 years.
2. The Lease Agreement may be extended once, for no more than 36 months. If the employee (lessee) reaches the age of 35 years before the end of the third year of permissible extension of the agreement, the Lease Agreement is only extended until the end of the calendar year in which the employee (lessee) reaches the age of 35 years. The Lease Agreement may only be extended provided that the following conditions are met:
 1. the employee has entered into an employment contract for a period of at least three (3) years, or into a permanent contract,
 2. submission of a recommendation for an extension of the given Lease Agreement, including a justification for the recommendation, from the dean or director of another unit,
 3. submission of an affirmation under 2 (2) hereof and, at the same time, actual compliance with the facts claimed therein,
 4. the employee’s FTE at the University, including any FTE at a University hospital, corresponds to at least 1.0, except for cases under Art. 2 (1), last sentence.
3. If all four of the conditions under the previous paragraph are met, the employee has a right to an extension of the Lease Agreement in accordance with the above. An application for the extension of the lease is submitted by the lessee renting

the given starter flat in writing to the Rectorate of the University. The same application form as that for an application for the provision of a starter flat is used. The application must be accompanied by a recommendation from the dean or director of another unit at which the employee works and an affirmation under Art. 2 (2) hereof and submitted well in advance of the expiry of the lease.

4. The rent may not exceed the amount corresponding to one half of the usual amount of rent in the given location and the payments for performance provided in relation to the use of the flat correspond to the amount of the respective overhead costs.
5. After the expiry of the Lease Agreement (lease), the lessee hands over the keys from the starter flat to the responsible facility management employee who will also inspect the given starter flat and draft a flat handover report with the lessee, which will contain an inventory of any damage or defects, if any, and the method of removal thereof or the payment of the costs for the removal thereof.
6. The lease relationship between the University and the employee terminates upon the expiry of the term of the lease; on a date agreed by both Parties; on the date of termination of the employee's employment at the University; or on 31 December of the calendar year in which the employee (lessee) reached the age of 35 years, or in cases defined in law.

Article 8

Common Provisions

1. The person authorised to act on behalf of the University in matters related Lease Agreements is the Bursar.
2. A starter flat corresponds in nature to a company flat.¹
3. Administrative matters related to the admission and assessment of applications, provision of starter flats, Lease Agreements, and any other matters related to the procedure hereunder are managed by the Rectorate, unless provided otherwise herein. Administrative matters related to the flats, including the registration thereof, and keeping records of rent and payments of accountable advances for services related to the use of a starter flat, are managed by the facility management.

¹ Section 2297 *et seq.* of Act No. 89/2012 Sb., the Civil Code, as amended.

4. Unless provided otherwise herein, an employee does not have a legal right to the provision of a starter flat.
5. The Lease Agreement becomes effective on the first day of the calendar month following the month in which the Agreement was executed by the lessor and the lessee. Should the employee fail to execute the Lease Agreement within thirty (30) days of the date on which the Agreement was executed by a representative of the Lessor, the employee loses his or her right (Art. 6 (6)) to enter into the given Lease Agreement. The employee must take over the flat from the facility management employee no later than within 30 days of the date of effect of the Lease Agreement. The employee's failure to do so may constitute a ground for withdrawal from the Lease Agreement on the part of the lessor.

Article 9

Final Provisions

1. Rector's Directive No. 2/2020 is hereby repealed.
2. The extension of Lease Agreements entered into before the date of effect hereof is governed by Rector's Directive No. 2/2020. In the case of these Lease Agreements, the reaching of the age of 35 years does not constitute a ground for the termination of the lease.
3. This regulation becomes effective on 15 January 2022.

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