## Uniwersytet Warmińsko – Mazurski w Olsztynie

## /UNIVERSITY OF WARMIA AND MAZURY IN OLSZTYN/

## **Faculty of Law and Administration**

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The extract of the doctoral dissertation entitled 'Administrative-legal regulation of the profession of real estate appraiser in Poland' written under supervision of dr. hab. Jarosław Dobkowski (Ph. D), UWM prof.

The goal of this dissertation is a relatively complex analysis of the administrative-legal regulation of the profession of real estate appraiser in Poland.

The proper execution of professional operations by real estate appraisers secures one of the constitutional values – the ownership right. Due to that there arises the need for drawing so reliable valuation survey, and what is of vital importance the functioning of determined procedures of their verification. The current regulation in this aspect appears to be unsatisfactory. Moreover there are ongoing discussions over adequate performing of real estate appraisal. In relation to the outlined goal of the dissertation there has been made the thesis that the Polish administration law does not ensure the necessary conditions to exercise the profession of real estate appraiser on the level of valuing real estate and economic trading.

The dissertation has been mainly based on the dogmatic-legal method as well as literature studies. To some extent there has been there has been used the comparison-legal method, which was applied in the case of issues connected with the models of carrying out real estate appraisal in other countries. In this dissertation there has also been used partly historical-legal method, mainly due the fact that the research questions has its source in revoked administrative-legal regulations. The legal-empiric method was also used on complimentary basis.

In Chapter I entitled: Real estate appraisal as the subject of legal regulation the focus is mainly on the explanation of the genesis of real estate appraisal in Poland and in the world. Moreover there are described the models of performing real estate appraisals in representative countries.

Chapter II entitled: Real estate appraisal as a profession the notion of the profession is

discussed. In the Polish law there is no legal definition of this profession. The subject literature this term has not been defined in an unambiguous way. There is also mentioned the question of professional title. Moreover there are also described qualification acts authorizing to exercise the profession of a real estate appraiser, understood in the theory of administration law as, so called 'intellectual resolution'.

Chapter III entitled: Real estate appraiser as a member of vocational organization was dedicated to the character of the membership in the organization associating real estate appraisers and the function of that organization. There is mentioned the issue of participation of vocational organizations in standardizing processes. In the final part of the chapter there is presented the institution of controlling the course of performing the profession of real estate appraiser by mentioned organizations, including the assessment of the quality of real estate appraisals.

A real estate appraiser as an entrepreneur is the subject of Chapter IV. In this part there are discussed the organizational-legal forms of performing the profession of real estate appraiser as part of business activity operation.

In Chapter V entitled: Real estate appraiser as an employee there has been researched the situation of a real estate appraiser as an employee of a public administration agency. It has been compared to the situation of a real estate appraiser as an employee of a private sector worker. In both cases the key question concerned the principles of performing work under the supervision of a superior employer.

The aim of Chapter VI entitled: Real estate appraiser as a person in possession of special information was to present the legal situation of real estate appraiser as an expert in court proceedings, administrative and taxation proceedings as well as the question of assessment their opinion by the respective bodies.

The dissertation ends in final conclusions. The accomplished goals of the dissertation are presented in a synthetic manner, and there are also presented there the answers to the questions put in the research problem.