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BUYER'S GUIDE

Condo Juristic Person in Thailand

Common Fees, Sinking Fund and Meetings

What a condo juristic person is under the Condominium Act B.E. 2522, how the manager, committee and votes work, how common fees and the sinking fund are charged, and what to ask for before buying a resale unit.

A condo juristic person in Thailand is the legal body that manages and maintains a building's common property for its owners. It is registered at the Land Office under the Condominium Act B.E. 2522 (1979), as amended in 2008. It acts through a manager, is overseen by a committee, and answers to the owners at general meetings. The owners fund it through common fees and a sinking fund.

For anyone buying a condo in Phuket, the juristic person runs the building for as long as you own your unit. The pool, lifts, roof and security all sit with it. A well-run one keeps the building in good order and the units easy to sell. The costs side is set out in my annual costs guide.

What is a condo juristic person under Thai law?

It is the body corporate of a registered condominium, created by the Condominium Act. Section 4 defines it as a juristic person registered under the Act. Section 33 confirms its legal status and gives its purpose: to manage and maintain the common property.

It comes into being with the first sales. Under section 31, the first unit transfers are filed together with an application to register the juristic person.

Each building also has registered regulations, which bind every owner. Section 32 lists what they must contain. That includes how the property is used, each unit's ownership ratio and its share of the expenses.

Who runs the juristic person: the manager or the committee?

Both, with different jobs. The manager runs the building day to day and represents the juristic person. The committee oversees the manager on the owners' behalf.

Section 35 provides for one manager, who can be a person or a management company. Under section 35/1 an individual manager must be at least 25 and must not owe common fees. The owners appoint the manager at a general meeting (section 35/2).

Section 36 sets out the manager's duties. The manager posts monthly accounts for owners to see within 15 days of each month end. The manager also has the duty to enforce payment from owners in arrears.

The committee has 3 to 9 members, appointed by the owners for two-year terms under section 37. Members may serve no more than two consecutive terms unless no one else can be found. Owners and their spouses are among those who can stand (section 37/1).

How do general meetings and voting work?

Owners vote by ownership ratio, not one vote per unit. Section 45 gives each owner votes in line with their share of the common property. If one owner holds more than half of all votes, their votes are cut to equal everyone else's combined.

The thresholds for the main decisions are set out below.

Decision	Votes needed	Section
Quorum for a general meeting	Owners present holding at least a quarter of all votes	43
Ordinary resolutions	A majority of the votes of owners attending	44
Appointing or removing the manager	At least a quarter of all owners' votes	49
Changing the rules on common property, changing the expense ratio, or disposing of common property	More than half of all owners' votes	48
Calling an extraordinary meeting	Owners holding at least 20% of all votes	42/2

If a meeting is not quorate, a second one within 15 days needs no quorum (section 43). For section 48 matters, a reconvened meeting can decide with one-third of all votes.

The annual general meeting is held within 120 days of the end of the accounting year, under section 42/1. It considers the financial statements and the annual report, and appoints an auditor. Notice of any general meeting, with the agenda, goes out at least seven days ahead (section 42/3).

Owners who cannot attend can appoint a proxy. Under section 47, one proxy can vote for no more than three units.

How are common area fees charged, and what do they cover?

Common fees are charged in proportion to each unit's share, and in practice that follows the unit's area. Section 18 splits the costs of the common property by ownership ratio, or as the regulations specify. The Bangkok Post described the fee in 2015 as calculated in proportion to the area of each unit. A larger unit pays more.

The fee pays for running the shared parts of the building. The same Bangkok Post report lists security, cleaning, lift maintenance, electricity for common walkways and repairs. Each owner pays the electricity and water in their own unit separately. Section 18 also shares any taxes on the common property between the owners.

The rate differs from building to building, so I give no figure here. It depends on what the building runs and how its budget is set. Changing each unit's share needs more than half of all owners' votes (section 48).

Ask the juristic person's office for the current rate in writing, and how far in advance it is billed.

What is the sinking fund?

The sinking fund is a reserve for major works, separate from the running costs. It is usually collected as a lump sum at transfer. KTC lists it among the costs at transfer, alongside common fees paid in advance. Ask the juristic person's office whether anything falls due on a resale.

Section 40 is the legal basis. Owners pay the expenses set in advance, starting capital under the regulations, and other sums a general meeting votes for. So if major works need more, the owners can approve a further contribution.

On a resale, the fund stays with the building. Ask the juristic office for its current balance. A healthy fund means repainting, roof work or a lift replacement can be paid for without a sudden levy.

What happens if common fees go unpaid?

The owner pays a surcharge, can lose use of shared services, and cannot sell until the debt is cleared. The rates are set by section 18/1, added in 2008.

- A late payer owes a surcharge of up to 12% a year, not compounded, at the rate the regulations set.
- After six months or more in arrears, the surcharge rises to up to 20% a year.
- Common services or use of the common property can be suspended, as the regulations provide. The owner also loses their vote at general meetings.
- The surcharge itself counts as a common expense under section 18.

Section 41 gives the juristic person a preferential claim for unpaid fees. If the manager has lodged the debt with the land official, that claim ranks ahead of a mortgage.

Under section 29, the Land Office registers a transfer only when the unit is free of debt for common expenses. The seller shows this with a debt-free letter from the juristic person, so a unit in arrears cannot be transferred.

How does the developer hand over to the owners?

Handover happens through the first general meeting, held within six months of the juristic person being registered. Under section 42, that meeting appoints the committee. It also approves the regulations and the manager named in the developer's application. The owners can amend the regulations, or remove that manager and appoint another.

Until each unit is sold, the developer is a co-owner of it. Section 18 makes the developer pay the common expenses on unsold units, like any other owner. If the developer still holds more than half of the votes, the section 45 cap applies to it too.

Sales material stays with the building too. Under section 6/1, the juristic person keeps a copy of the developer's advertising. It counts as part of the sale contract.

After the first meeting, the owners run the building through the committee and the annual meeting.

What should you check before buying a resale condo?

Three documents tell you most of what matters: the debt-free letter, the AGM minutes with the accounts, and the regulations. They come from the juristic person's office, and your lawyer reads them. The due diligence checklist covers the rest.

The debt-free letter needed for transfer

The seller asks the manager for it. Under section 29, the manager issues it within 15 days, once the fees are paid in full. Ask your lawyer to put any arrears on the seller in the contract. The letter should be current at transfer.

For a foreign buyer, ask the same office for a dated letter showing the building's foreign ownership percentage. A foreign buyer can own a condo freehold within the 49% foreign quota (section 19 bis). The usual route is to bring the purchase funds in from abroad as foreign currency. My foreign ownership guide explains both.

The AGM minutes and the accounts

Section 38/3 requires the annual report, accounts and regulations to be kept at the juristic office for owners to inspect. The seller, as an owner, can ask for copies to share with you.

Your lawyer can look at the last few years. Were audited accounts approved each year, as section 38/1 requires? How much do other owners owe? Is major work coming, and has a further contribution been voted?

Minutes show how a building behaves. A committee that meets and plans repairs ahead is good news for the value of every unit.

The building's rules on short lets

Ask the juristic office for the latest registered regulations and read the letting clauses. A building's own regulations bind every owner and can ban daily letting. A Department of Lands circular of 6 November 2023 says condo units cannot be used for hotel business operations. My short-term rental guide covers what is allowed and how monthly letting works.

What does this mean if you already own a unit?

Go to the annual meeting, or send a proxy. A quarter of all votes can appoint or remove a manager, and 20% can call an extraordinary meeting.

When you sell, ask for the debt-free letter early, since it can take up to 15 days. Have the latest minutes and accounts ready too. The wider trade between condos and villas is in Condo vs villa in Phuket.

Condo juristic person in Thailand: questions buyers ask

What is a juristic person in a Thai condo?

It is the legal body registered under the Condominium Act B.E. 2522 to manage and maintain a building's common property. It acts through a manager, is overseen by a committee of 3 to 9 members, and answers to the owners at general meetings.

How are condo common fees calculated in Thailand?

Under section 18 of the Condominium Act, owners share the costs by ownership ratio, or as the regulations specify. In practice the fee follows the area of each unit, so a larger unit pays more.

What happens if you don't pay condo fees in Thailand?

Section 18/1 allows a surcharge of up to 12% a year on late fees, rising to up to 20% a year after six months. The owner can lose use of common services and facilities and their vote at general meetings, and the unit cannot be transferred until the debt is paid.

What is a debt-free letter for a condo in Thailand?

It is a certificate from the juristic person's manager confirming that no common fees are owed on the unit. Under section 29, the Land Office will not register a transfer without it. The manager must issue it within 15 days of a request once the fees are paid.

Can a condo juristic person ban Airbnb in Thailand?

A building's own regulations bind every owner and can ban daily letting. Separately, a Department of Lands circular of 6 November 2023 says condo units cannot be used for hotel business operations.

The read

A well-run juristic person is one of the quieter reasons a condo holds its value. The Act gives owners real tools: audited accounts, a vote by ownership ratio, and a debt-free letter at every sale.

On a resale, I would want three years of AGM minutes with your lawyer before the price is agreed.

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Sources: Condominium Act B.E. 2522 (1979), as amended by the Condominium Act (No. 4) B.E. 2551 (2008), sections 4, 6/1, 18, 18/1, 19 bis, 29, 31 to 49, Department of Lands unofficial English translation, checked 8 November 2026; Bangkok Post, 17 August 2015 (how common area fees are calculated and what they cover); KTC (Krungthai Card), condo purchase costs, updated 10 March 2021 (sinking fund and advance common fees at transfer); Department of Lands circular on condominium units and hotel business, 6 November 2023. This is general information, not legal, tax or investment advice. Take independent legal advice in Thailand before you buy a condo unit.