A COMPARATIVE VIEW OF THE MINIMUM STANDARDS OF
HABITABILITY IN ROMANIA AND IN THE STATE
OF MASSACHUSETTS (U.S.A)

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ABSTRACT: One of the landlord’s main obligations, that derives from a contractual basis, is to maintain the rental space in the appropriate condition for use. When the rental space is used for living, the appropriate condition for use automatically means that the rental space has to be habitable. The present article offers a comparative view of the minimum housing standards for health and safety, that derive from Romanian laws and the laws of the State of Massachusetts.

KEYWORDS: standards of habitability; obligations; contractual basis; Romania laws; laws of the State of Massachusetts.

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1. INTRODUCTION

A dwelling is safe when it doesn't represent a threat to a person's physical or mental health. According to a statement made by the World Health Organization: "Housing conditions affect people's health. Inadequate housing causes or contributes to many preventable diseases and injuries, including respiratory, nervous system and cardiovascular diseases and cancer".

In order to prevent becoming ill because of unfit living conditions, the Romanian and U.S. legislatures have created minimum standards that a home needs to meet in order to be deemed fit for human habitation.

In the U.S., the standards were set in the Sanitary Code of every U.S. state. In Romania, these are set in the Dwelling Law, which contains the basic standards a dwelling needs to meet in order to be deemed safe for human habitation, such as: individual and free access to the dwelling, separate space for food preparation and rest, the existence of a sanitary group, access to electricity and drinking water, controlled evacuation of used water and waste. More detailed legal provisions can be found in special laws.

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