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PROTECTED TENANTS - YESTERDAY, TODAY, TOMORROW (AND VICE VERSA?)

Summary: *The article presents recent legislative activities in the Republic of Croatia aimed at solving the problem of protected tenancy (based on previous tenancy rights) in apartments owned by natural and legal persons (so-called private apartments). The Croatian legislator has been trying for decades to find a solution to this problem and to strike a fair balance between the protection of the right to peaceful enjoyment of property (ownership) on the one hand and the right to respect for the home on the other. After a brief overview of the current development of the legal framework, the case law of the European Court of Human Rights and the Croatian courts, as well as the basic focal points of legal theory, the planned stages of implementation of court decisions and programmatic measures (one general and five specific) are presented, which, according to the expectations of the legislator, would have finally solved the said problem. It is concluded that although the evaluation of the feasibility and effectiveness of the planned model should be awaited until its implementation begins, the fact that the state has changed its approach to the problem is certainly to be welcomed. Instead of its previous attempts to strike a balance between protecting the rights of owners and protected tenants by viewing the protected tenancy problem as their two-way, private law relationship, it has (finally) recognized itself as a participant in this (three-way) relationship: Owner - State - Protected Tenant, and the plan is to include through programmatic measures payments of sums of money and a dedicated housing fund.*

Keywords: *protected tenancy, European Court of Human Rights, Statileo v. Croatia, apartment register, program measures, solidarity compensation*