Grażyna Tandek

Przegląd orzecznictwa z zakresu hipoteki za rok 2017 (Case-law review in mortgage cases for year 2017)

The present case-law review covers the judgements of the Supreme Court in mortgage cases in year 2017. The judgements were chosen according to the date when they were given. In the descriptions, the following factors are presented: the conclusion of a judgement, the relevant legal question under consideration, summary of the facts, and the Court's argumentation. The cases covered are mainly the cases concerning the entries into the Land Register and dealing with, among others, creation and transfer of a mortgage, transfer of the debt, courts' decisions on the abolition of co-ownership and their effects on the mortgage. Two other issues appearing in the relevant procedure are also analysed in the commentary due to their relevance to the Land Register proceedings.