

# **THEORETICAL AND APPLIED ASPECTS OF THE REGULATION CHARACTERISTICS OF A LEASE OF COMMERCIAL HOUSING**

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## **ABSTRACT**

*This work is devoted to the theoretical and applied analysis of the features of regulation of elements of commercial housing lease, in which a very important aspect is the very identification of commercial housing, in which it is important to determine what commercial housing is, what its properties and methods/degree of regulation of issues at the regulatory level. Based on this, the purpose of the work is to identify all the basic components of the concept of commercial housing in the Republic of Kazakhstan, as well as elements of the legal mechanisms under which the lease agreement can be improved.*

**Keywords:** Commercial Housing, Lease, Republic of Kazakhstan, Properties, Legal Mechanisms.

## **INTRODUCTION**

### **The Importance of the Study**

To date, the civil legislation of the Republic of Kazakhstan has not clearly defined all the elements and details of the commercial housing lease agreement in the theoretical and applied space, limiting the present to some norms of civil legislation, which implies a fairly huge amount of work in this industry, since the very concept of commercial housing is important in the system of functioning of this current law.

## **The Principal Difference between this Study and the Previous Ones**

Most early studies focused more on real estate relationships, which put the Foundation and priorities on the purchase and sale of commercial housing, if on rent. The present study is based solely on the theoretical and applied nature of rental legal relations of commercial housing.

## **Theoretical and Practical Significance of These Studies**

This is an analytical analysis of empirical data, with the help of which it will be possible to recreate specific applied mechanisms for improving the existing lease agreement in the legal space of the Republic of Kazakhstan.

### **Theoretical Significance**

The theoretical significance of the consideration of all the basic elements of the lease agreement of commercial residential space is a complex consideration of several areas of modern jurisprudence, in which civil law proceedings will be able to create a separate institution of contract law, focusing its attention on the rental relationship. This may even be the basis for creating a separate sub-course of lease law within contract law.

### **Practical Significance**

The practical significance of considering all the basic elements of a lease agreement is to recreate specialized resources for regulating lease relations in the legal space of theoretical and practical legal relations.

### **Importance of the Problem**

The real problem is the current problem of underdevelopment of the regulatory framework for the rental of commercial housing. The reason for this is the undeveloped present at the theoretical, practical and scientific level. Only in theoretical analysis it is possible to achieve concrete results in the applied industry. And only in the presence of theoretical analysis and applied actions such can be systematized in the scientific direction. And without a scientific component, it is quite problematic to conduct research on the dynamics and development of the present issue of rental legal relations of commercial housing.

## **LITERATURE REVIEW**

Currently, commercial housing rentals abroad are quite active (Imanbekova, 2014). The present begins with the process of urbanization of huge megacities, where staff turnover is a common question (Kozhambekov et al., 2019). And given the pragmatic thinking of the working staff, it is common for people to look for rental housing closer to the existing work if they sell, buy and re-buy housing with each changing place of work (Batyrbayev et al., 2013). Therefore, in countries such as the United States of America, the lease agreement has a sufficiently developed form of maintenance based on long-term practical experience, theoretical work and scientific analysis (Nartay et al., 2019). That is, the present involves a specialized course in law

universities regarding rental law, in which students are not just renting housing, but renting premises (Ordaeva et al., 2019). And even not just the lease of premises as real estate, but the lease of both movable and immovable property, and all its components (Shalkharov et al., 2019). That is, it can be indicated that the rules of law regarding rent in Western countries are so developed that the cost is formed in the presence of a set of all components that include real rental housing (Shalkharov et al., 2016). This may include interior, exterior, furniture, Internet and other variables that contribute to the formation of the cost of rent (Shalkharov et al., 2016). Therefore, it is possible to refer the institution of the lease of commercial housing to a complex institution in which there are several elements (Freeman et al., 2019). It remains a problem to consider each element separately, which involves splitting each element from the legal position (Campball et al., 2017). Splitting elements from a legal position can be considered as segmentation of legal variables, since in fact any element that can be classified legally can be designated as a legal fraction (Lane et al., 2018). In relation to a commercial housing lease agreement, it can also be considered by splitting (Li, 2018). The present is of a theoretical nature, since it presupposes to start working with empirical data of literary analysis (Morgan, 2018). Literary analysis in the field of commercial leasing can give quite high results due to the relevance and popularity of the study of such in many countries (Hirschi & Widmer, 2012). Having considered theoretically, hypothetically, it is possible to generate some legal mechanisms that can be protected by the developer's copyright and coordinated in the application space with the permission of the authors of the constructors (Loza, 2007). Therefore, it can be indicated that the symbiosis of theoretical consideration and applied application is the basis for the continuation of scientific research, which guarantees the dynamics and development of such in the scientific direction, which will also become the basis for progress in theory and practice. This also involves the analysis of precedents in conflicts with rental housing (Daneykin et al., 2015). Conflicts are extremely important, since it is during conflicts that certain aspects related to the lack of development of certain provisions regarding the rental of commercial housing are revealed (Bitemirov et al., 2019). Consequently, the conflictology concerning the lease of commercial housing is fundamental and necessary, which is a measure of the progress of the contract of lease of commercial housing in theoretical and applied terms (Bitemirov et al., 2019). Theoretical and applied solutions to the problems of commercial housing lease agreement are the basis for the development of such in the current functioning legal space of lease relations of the state territorial unit (Kairat et al., 2017).

## RESEARCH METHODOLOGY

The methodology for the study of the official status of the human genome from the standpoint of modern jurisprudence, ethics and morality involves the use of not only legal techniques expressed in deduction, induction, abstraction, but also other techniques related to an interdisciplinary approach that involve regression, inverse correlation, and some types copyright methods developed by the authors themselves.

### The Main Description of the Methods

The materials and data of this article were analyzed using a number of techniques that help identify interdisciplinary research to achieve the goal of this article.

## **Legal Methods**

As legal methods, deduction, induction and abstraction were taken as a basis, which help to analyze the theoretical material and the interconnectedness of previous research in this field among themselves and in relation to this article.

### **Deduction**

A Planetary transition from the larger to the lesser allows analyzing a certain hierarchy of legal acts ranging from the constitution, continuing with codes and laws, as well as narrowing to the orders of the executive bodies in a given area.

### **Induction**

Induction allows you to undergo a specific periodical from the smallest to the greatest. In such an analysis, having examined one work, many other studies can be derived from it.

### **Abstraction**

This methodology involves detailed and selective manipulations of regulatory acts regarding the status of the genome in the system of modern Kazakhstan legislation.

### **Statistical Analyzes**

Identification of the will of citizens and the position of society regarding the issue of designating the legal status of the human genome in the legal space makes it necessary to conduct statistical research by creating a specialized questionnaire.

### **Sample**

As a sample, you can designate a random sample in which an equal population from individual territorial units of the state participates.

### **Base Encoding**

Encoding is supposed to be scheduled in a dichotomous form with two answer choices that are separated as 0-no and 1-yes.

### **Hypotheses**

In the study of this question, it is necessary to consider and highlight the relevant hypotheses.

### **The Primary Hypothesis**

Without improving the issue of renting commercial housing in theoretical terms, it is quite difficult to classify them in the real applied space of the state territorial unit of rental legal relations of the Republic of Kazakhstan for both residents and non-residents.

### **The Secondary Hypothesis**

Without improving the issue of renting commercial housing in practical terms, it is quite difficult to classify them in the real normative space of the state territorial unit of rental legal relations of the Republic of Kazakhstan for both residents and non-residents.

### **Relation of Research Design to Results and Main Conclusions**

Assuming kagornye research descriptive design should be noted the level of optimality of existing hypotheses, which correspond to the nature of such legal research. The results are achieved with the help of a certain manipulation with a base of 5,000 respondents and are processed using the software SPSS, R-STAT.

## **RESULTS & DISCUSSION**

Analyzing the controversial part, we can distinguish two main positions that were given in these studies based on the analysis of literary data, statistical dynamics and case-based analysis.

### **The First Position is Pragmatic**

If pragmatic positions can be identified that elements of a lease of commercial housing in terms of their direct cost in conventional units depends on the appraised value of each of the elements individually, which are assessed and insured. Now assumes that the client has the right to look at the cost based on the insurance data of the appraised value of each item. The present shows a pragmatic position based on practical experience of expediency of formation of cost of rent of commercial premises.

### **The Second Position is Traditional**

In the traditional position, more preference is given to the symbolism of each element separately. Of course, at first glance, this may seem unreasonable. However, in recent years, more and more views adhere to such concepts as Feng Shui for example, which implies a spiritual and traditional component in the formation of the cost of renting commercial housing on the basis of a centralized lease agreement for commercial residential premises rented by individuals or legal entities. As a result, we can assume three types of solutions that can positively and actively affect the modernization of the commercial lease agreement

### **Decision on the Complexity of the Assessment**

As a first solution, we can assume the centralization of the elements that make up the total amount of rented residential space, which includes not only classically pragmatic elements

such as furniture, TV, Internet and kitchen equipment and much more valued and insured at the appropriate cost, but also traditional resources such as decoration in a certain order and much more.

### **Decision on Theorization**

As a second solution, we can suggest an alternative to the conducted statistics on the basis of theoretical data, where there is a certain statistic about the success of rented housing, which may include background reviews of previous residents, in which for some especially believers may have achievements or a certain level of happiness of previous residents.

### **Decision Regarding Location**

This solution is quite common today, as in advertisements you can often find slogans that indicate the view from the window to certain cultural and popular objects. In addition, the present may include proximity to stations. However, in addition to this, it may also include proximity to such vital facilities as a hospital, school, kindergartens, universities and other facilities that are vital for guests. This is a direct basis that can form the cost of rental housing in the commercial housing rental market in the applied aspect.

## **CONCLUSION & RECOMMENDATIONS**

Concluding the present, it can be indicated that theoretically and practically it is possible to form the cost of renting a commercial residential space depending on the objects that make up the present rented housing. This is extremely important and necessary, because it is on the basis of these components that the cost of renting such a commercial residential space may vary depending on the totality of components. As a recommendation, it can be indicated that the relevant regulatory element regarding the lease of commercial residential premises in practical terms has a reason to make the cost of such rental housing, which may include the interior, exterior, Internet, cable TV, telephony, design and other aspects.

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