

**THE PECULIARITIES OF THE LANDED PROPERTY COMPLEX
MANAGEMENT IN TODAY CIRCUMSTANCES AT DIFFERENT
ADMINISTRATIVE LEVELS**

**ОСОБЕННОСТИ УПРАВЛЕНИЯ ИМУЩЕСТВЕННЫМ КОМПЛЕКСОМ
В СЕГОДНЯШНИХ ОБСТОЯТЕЛЬСТВАХ НА РАЗНЫХ
АДМИНИСТРАТИВНЫХ УРОВНЯХ**



DOI:10.24411/2588-0209-2021-10285

O.S. Astafieva, State University of Land Use and Planning, Moscow, Russia

A.A. Fomin, PhD in Economics, Professor of the Department of Economic Theory and Management, State University of Land Use and Planning, Moscow, Russia

T.V. Shevchenko, State University of Land Use and Planning, Moscow, Russia

Summary: This article is aimed at analyzing and studying the landed property complex management in the Russian Federation at different administrative levels. The topic is essential as competent and efficient management is a key factor of the regulation of landed property relations.

Аннотация: Статья посвящена анализу и исследованию управления земельным комплексом в Российской Федерации на разных уровнях управления. Тема актуальна, так как грамотное и эффективное управление является ключевым фактором регулирования земельных отношений.

Keywords: land resources, landed property complex, real estate management.

Ключевые слова: земельные ресурсы, земельно-имущественный комплекс, управление недвижимостью.

1. Introduction

Changes in economics and in the political system of the country resulted in significant changes in federal and local government system and structure, forms and methods of management have been redesigned. During the years passed, scientific and theoretic approaches as well as practical ones to real estate management have been formed in whole, with real estate being concerned as highly valuable assets. Also, market turnover of real estate has been formed, and the real estate tax system has been unified.

2. Informal statement of the problem

Landed property complex management is the object of the research of this article. The administrative level system of the landed property complex management in the Russian Federation is the subject of the research. The research is aimed at studying the concept and the structure of the landed property complex, along with analyzing and studying the management organization at different hierarchical levels of the management system.

3. Formalization and analysis

3.1 Land resources and other real estate objects as the object of management

As stated in section 130 of the Urban Cadastre of the Russian Federation, “real estate objects include land, subsoil and all objects, tightly connected with land, i.e. objects which cannot be moved without incommensurate harm, including buildings, constructions, incomplete buildings”.

Legally, some things do not have inseparable connection to the land, nevertheless, they have the status of real estate. Legislation also provides the existence of compound objects, recognized as real estate (enterprises). Since 2016, the concept of real estate includes also residential and non-residential premises and parking places (provided their borders are marked in the cadastre – see section 130 of the Urban Cadastre of the Russian Federation). The norms have been reviewed. Incomplete buildings have been included into the concept of real estate, but forests, long-standing plantings, separated bodies of water have been excluded.

When committing managerial actions with real estate, it is essential to distinguish independent assets from the components which are just a part of the land (for example, soil stratum).

Such objects as mining-holes, highways, ameliorative systems, are specific, so disputes about their status of independent real estate objects take place quite often. Such disputes were at various times adjudged, with the corresponding court practice being inconsistent.

All the real estate objects are classified, first of all, by their origin and the possibility of further reconstruction by human activity:

- Irrecoverable (made by nature) – most water bodies, land, subsurface resources;
- Objects made by human activity, but in tight connection with nature, so that they cannot exist if separated from nature (i.e. forests, other long-standing plantings);
- Capital construction objects (CCO), i.e. human-made real estate objects. All of them can be reconstructed again and have a limited (long-term though, as a rule) working lifespan.

Land, land plots are key real estate objects to which all other objects are connected. In today legislation, according to section 6 of Land Cadastre of the Russian Federation, land plots as objects of property are real estate. A land plot is a part of earth surface, with certain characteristics, due to which it can be recognized as a separately defined object.

Lands and land plots form land reserves of our country. They consist of different land types.

Presently, main differentiation factors are accepted to be the following:

1. Categories of the land;
2. Land holdings;
3. Forms and types of property. Right presumes owning, disposing and using the land within legislation (section 209 of the Urban Cadastre of the Russian Federation).

For a long time, there was only one form of landed property – the state property. Nowadays, the variety of forms of landed property has become the key factor in the land dealing system.

In its beginning, the process requested significant time, labour, financial and organizational resources. By 2013, about half the territory had been delimited, with 61% delimited by 2016, and more than 66% by 2017 [1].

In 2019, most of land reserves are in federal and municipal property (92.2%). Private ownership constitutes 7.8%. Citizens own 6.6% of the land reserves, and organizations own 1.2%.

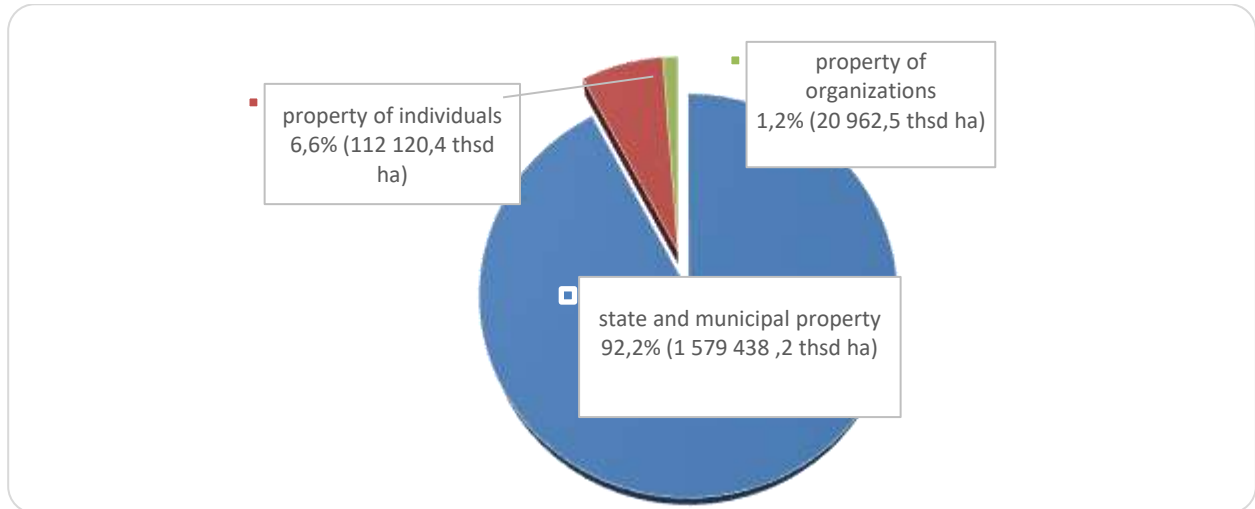


Figure 1. The structure of the property forms division of total land space

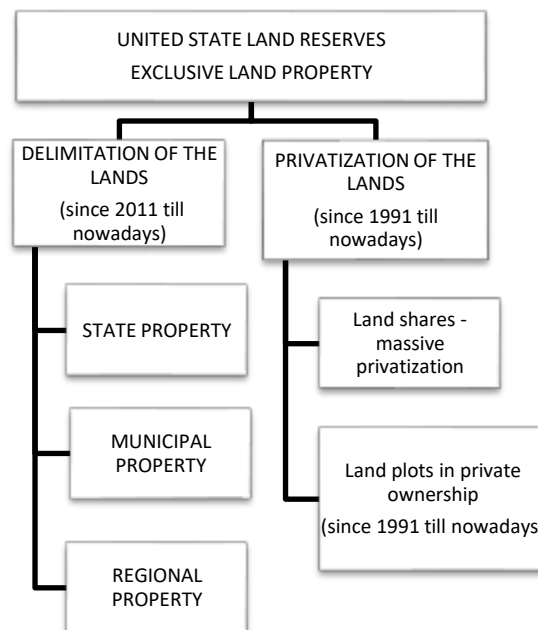


Figure 2. Transformation of landed property in post-Soviet Russia

Occurrence of the rent (the rent is characterized by time limitation, onerousness, returnability) as a variety of land right is also connected with the reforms of the 1990s. The rent is one of means of management of federal and municipal property [1].

3.2. The structure of state and municipal landed property complex government system

Federal management of land reserves and other real estate objects is realized by federal government institutions and is a part of federal management system of the state in whole.

Today system of federal government institutions is complicated and consists of various hierarchically arranged units. Thus, the following groups of institutions can be distinguished:

1. Federal government institutions – Parliament and the Government of the country, other institutions, including Federal executive power institutions (FEPI).
2. Regional government institutions of legislative and executive power, that is, local institutions in Russia’s regions.

Today system and structure of FEPI (i.e. the three-level system of Ministry – Service – Agency) was formed in 2004 as a result of the reform of the administration. According to the general rule:

- State policy direction is defined at the federal level;
- Federal services solve problems of control over respecting mandatory rules;
- Federal agencies are in charge of State property.

As a rule, services and agencies are under the supervision of the Federal Ministry, but some of them report directly to President or to the Government (e.g. Rosreestr (Russia’s Register), Rosimushestvo (Russia’s Property)). So, provisions of certain FEPI allow some deviation from the indicated three-level system.

In order to execute the functions of FEPI at a certain territory of one or several regions of the Russian Federation, corresponding local government institutions are formed according to the scheme of arrangement.

By nowadays, a rather cumbersome structure of federal landed property complex management has been formed, that is reflected on Figure 3.

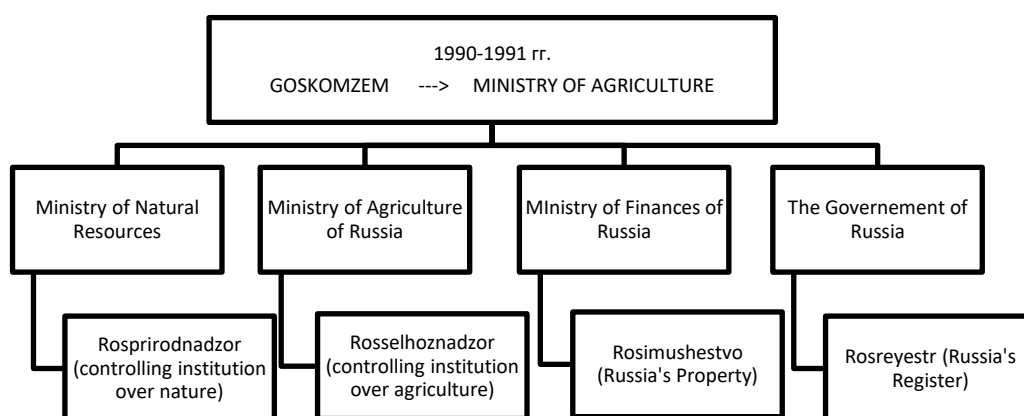


Figure 3. Reorganization of land management institutions [1]

Note that institutions which were not empowered to execute the management, but had impact on it (e.g. different decisions were agreed with them), are marked by darkening. Arrows signify the transmission of power.

Nowadays, most power in forming the federal policy concerning land resources is concentrated in hands of Ministry of Economic Development. The Ministry elaborates federal policy and regulatory and legal framework.

Since 2020, the Ministry of Finances is in charge of the Agency of Russia’s Property (Rosimushestvo). Russia’s Register (Rosreestr) is under the supervision of the Government of the Russian Federation since January 2020.

Rosreestr is a federal service, which inherited most of powers and all the territorial divisions of former Goskomzem of Russia. Nowadays, this service regulates issues dealing with state registration of rights to real estate and bargains with real estate, control, assessment and others.

The service has its local institutions in all the regions. Besides, Rosreestr is in charge of two federal state-financed institutions (FSFI):

1. Federal Cadastre House, which regulates the sphere of state registration of rights, cadastre accounting and assessment; this institution has subsidiaries.
2. Federal Science and Technological Centre of Geodesy, Cartography and Space Data Infrastructure (this FSFI has 24 regional departments).

Rosimushestvo is a federal agency in charge of federal property; it provides public services and controls the appropriate condition of land in federal property.

Ministry of Agriculture provides legislation in agricultural sphere. It deals with the following issues as well:

- Federal policy and legal regulation;
- The monitoring of agricultural lands;
- Management of state property in subordinate organizations.

In the central apparatus of the Ministry dealing with these issues is delegated to departments.

It is the departments of the central apparatus of the Ministry of Agriculture which work with regional and local levels, as well as with individuals and organizations (this Ministry has no local institutions).

The Ministry of Agriculture is in charge of Rosselkhoznadzor (the controlling institution in the sphere of agriculture) which executes all the controlling functions in the sphere of agriculture. As far as land reserves management is concerned, this service is empowered to monitor the agricultural lands. Such monitoring is incumbent on one of the offices of the central apparatus of the service – the Office of Land Control, Quality Control and Safety of the Grain. This service also has 53 local offices, which operate in all the regions of the Russian Federation, with some offices being in charge of more than one region. The staff of these offices realize federal monitoring of the lands.

The Ministry of Natural Resources is in charge of natural resources and environmental protection.

Rosprirodnadzor is a controlling institution under the supervision of the Ministry of Natural Resources. It executes control in the sphere of using natural resources. This federal service takes part in the federal monitoring of the lands as well. That is, it controls the sphere of using and protection of water bodies, the atmosphere air and the lands. The service is based in the central apparatus, has 8 departments in federal districts and 72 regional offices.

As for the Ministry of Construction, it has been founded relatively recently, in 2013. It is empowered to elaborate regulations in the sphere of urban construction and monitor compliance with them, provide services, manage state property. There are separate systems of management institutions in the spheres of forest resources, water bodies and subsurface resources.

Organization of the state management in regions and its character are in many aspects similar to the activity of federal executive power institutions. Main power is concentrated at the federal level, which is natural. At the same time, land using and protection, resources management are very important issues for regional governments. Thereat it is not an easy task to make all the decisions concerning management at the central level. All the powers, not referred by law to the competence of federal or municipal levels, are realized at the regional level.

There is a significant diversity in the organization of the management of municipal real estate. The management may be realized via owning, disposing and using the municipal property, as well as by transferring it to municipal unitary enterprises and municipal organizations. Transferring the

ownership to other persons is also possible. Local government is not a part of the system of state government institutions and it has certain differences from the state government.

Auction sales, tenders, contests hold a unique position in the municipal real estate management process. The most outstanding peculiarities are usual for land plot trades, which presume a range of limitations. The limitations are determined, first of all, by purposive appointment and permitted use of the lands. The trades may concern vending the rights of rent as well as vending the property itself (i.e. transferring the property to the buyer).

4. Conclusion

Management is the influence of the managing part to the managed part aiming at making the latter perform certain actions and not perform other actions, achieve the goals set. Management can stand for the activity as well as for the process of functioning of the government institutions, and also certain actions performed by the managing part. So management is a many-sided and a multi-aspect phenomenon.

Forms and methods of public (federal and municipal) and corporate management are different in some aspects, because their purposes are different. Public management aims at stability and the development of the society in needed direction, while business aims at getting profit and benefits. Today system of state government institutions is complicated and consists of various hierarchically arranged units. By nowadays, a rather cumbersome structure of federal landed property complex management has been formed.

Organization of the state management in regions and its character are in many aspects similar to the activity of federal executive power institutions. There is though a significant diversity in the organization of the management of municipal real estate.

References

1. Volkov, S.N., Shapovalov, D.A., Fomin, A.A. Development of cartographic materials for optimal placement of objects and lands using the information logical system of automated land management design IOP Conference Series: Earth and Environmental Science, 2020, 579(1), 012155
2. Voronkova, O.Y., Kurbanov, P.A., Fomin, A.A., Matveeva, E.A., Kharina, A.A. Formation and implementation of regional targeted agro-industrial complex development programs towards integrated rural development Entrepreneurship and Sustainability Issues, 2020, 8(1), стр. 1238–1247
3. Voronkova O. Y., Ovchinnikov Y. L., Avdeev Y. M., Fomin A. A., Penkova A. N., Zatsarinnaya, E. I. (2020). Land Resource Management in the Agro-Industrial Sector of Russia. Talent Development and Excellence, 12(3s), 422-431
4. Understanding the Land Management Paradigm - 25/01/2006 Need for Establishing Sustainable National Concepts Professor Stig Enemark, Aalborg University, Denmark <https://www.gim-international.com/content/article/understanding-the-land-management-paradigm>
5. Bennett R., Wallace J., Williamson I. Organising land information for sustainable land administration. Land Use Policy, 2008, no. 25 (1), pp. 126-138.
6. Azadi H., Ho P., Hasfiati L. Land management and administration drivers: A comparison between less developed, developing and developed countries. Land Degradation & Development, 2010, no. 22 (6), pp. 596-604.
7. Hanger, J.D., Fundamentals of strategic management / J. D. Hanger, T. L. Whelen. – M.: UNITY, 2015. - 319 p.

8. King D.E., The Scorecard Solution: Measure What Matters and Drive Sustainable Growth / D.E/ King. - England: Amacom, 2015. - 288 pages.
9. Mescon M.H., Basics of management / M.H. Mescon, M.F. Hedouri. – M.: Williams, 2016. - 672 p.
10. Tomasko R.M., Go For Growth: Five Paths to Profit and Success—Choose the Right One for You and Your Company / R.M. Tomasko. – M.:Gostehizdat, 2017. - 341 c.
11. Dale P. D. Land Administration (Spatial Information System and Geostatics Series). – New York: Oxford University Press. – 2016. – March 23.
12. Goran, W. D. Plans for the land management system (LMS) Initiate [Текст] / W. D. Goran , J. P. Holland, J. W. Barko // United States of America: US Army corps of Engineers, 2016
13. Ikrah R., Must V. Improved methods for conducting the cadastre of meliorate condition in irrigated areas subject to climate change // NATO science for peace and security series C: environmental security – 2011. – Vol. 3. – P. 167-174.

Ispol'zovannaya literatura

1. Volkov S.N., Shapovalov D.A., Fomin A.A. Razrabotka kartograficheskikh materialov dlya optimal'nogo razmeshcheniya ob"ektov i zemel' s ispol'zovaniem informatsionno-logicheskoi sistemy avtomatizirovannogo proektirovaniya zemleustroistva IOP Conference Series: Earth and Environment Science, 2020, 579 (1), 012155
2. Voronkova O.YU., Kurbanov P.A., Fomin A.A., Matveeva E.A., Kharina A.A. Formirovanie i realizatsiya regional'nykh tselevykh programm razvitiya agropromyshlennogo kompleksa v napravlenii kompleksnogo razvitiya sela Voprosy predprinimatel'stva i ustoichivogo razvitiya, 2020, 8 (1), str. 1238–1247
3. Voronkova O.YU., Ovchinnikov YU.L., Avdeev YU.M., Fomin A.A., Pen'kova A.N., Zatsarinnaya E.I. (2020). Upravlenie zemel'nymi resursami v agropromyshlennom komplekse Rossii. Razvitie talantov i sovershenstvo, 12 (3s), 422-431
4. Ponimanie paradigmy upravleniya zemel'nymi resursami - 25/01/2006 Neobkhodimost' sozdaniya ustoichivykh natsional'nykh kontseptsii Professor Stig Ehnemark, Universitet Ol'borga, Daniya <https://www.gim-international.com/content/article/understanding-the-land-management-paradigma>
5. Bennett R., Uolles Dzh., Uil'yamson I. Organizatsiya zemel'noi informatsii dlya ustoichivogo upravleniya zemel'nymi resursami. Politika zemlepol'zovaniya. 2008. 25 (1), str. 126-138.
6. Azadi KH., Kho P., Khasfiati L. Draivery upravleniya i administrirovaniya zemel': sravnenie menee razvitykh, razvivayushchikhsya i razvitykh stran. Degradatsiya i razvitie zemel'. 2010. 22 (6), str. 596-604.
7. Khehnger, Dzh., D. Osnovy strategicheskogo menedzhmenta / Dzh. D. Khehnger, T. L. Velen. - M.: EDINSTVO, 2015. - 319 s.
8. King D.EH., Reshenie otsenochnoi karty: izmeryaite, chto imeet znachenie, i stimuliruite ustoichivyi rost / D.EH / King. - Angliya: Amacom, 2015. - 288 s.
9. Meskon M.KH. Osnovy menedzhmenta / M.KH. Meskon, M.F. Kheduri. - M.: Vil'yams, 2016. - 672 s.
10. Tomasko R. M., Stremites' k rostu: pyat' putei k pribyli i uspekhu - vyberite pravil'nyi dlya vas i vashei kompanii / R.M. Tomashko. - M.: Gostekhizdat, 2017. - 341 s.
11. Deil P. D. Upravlenie zemel'nymi resursami (Seriya prostranstvennykh informatsionnykh sistem i geostatiki). - N'yu-Iork: Izdatel'stvo Oksfordskogo universiteta. - 2016. - 23 marta.

12. Goran, V. D. Plany sistemy upravleniya zemel'nymi resursami (LMS) Initiate [Tekst] / V. D. Goran, Dzh. P. Kolland, Dzh. U. Barko // Soedinennye Shtaty Ameriki: Inzhenernyi korpus armii SSHA, 2016

13. Ikrakh R., Must V. Uovershenstvovannye metody vedeniya kadastra meliorativnogo sostoyaniya oroshaemykh zemel', podverzhennykh izmeneniyu klimata // Nauka NATO za mir i bezopasnost', seriya C: ehkologicheskaya bezopasnost' - 2011. - Vol. 3. - S. 167-174.