

Document: **Syndic handover: memo**Reference: **Law 18-00 + Décret 2.23.700**Source: **Kassaba.ma**

Your authority begins the day the general assembly designates you by a 3/4 majority (**Article 19**), provided the designation was validly held and recorded in the minutes. Not the day the old syndic hands you the files. If he refuses to hand over, that's his breach, not a flaw in your mandate.

What the outgoing syndic must do

- ☐ **Hand over all documents, archives and registers of the syndicate and the building** Art. 28 / 26ter
AG minutes, co-ownership rules, active contracts, the co-owner list
- ☐ **Hand over the treasury situation and all funds, including cash** Art. 28
And transfer access to the bank account held in the syndicate's name (Art. 26)
- ☐ **Hand over the accounting documents and original supporting records to the successor** Décret · Annexe 1 Art. 11
Invoices, statements, journal entries. Active service contracts (water, electricity, elevator, insurance)
- ☐ **All of it within 15 days of the new syndic's appointment, against a signed receipt** Art. 28
The clock runs from your designation. Get a signed handover receipt (accusé de réception)

If he refuses: the path to take

- 1 Formal notice (mise en demeure) Art. 28**
By registered mail with acknowledgment of receipt, or through a huissier (judicial commissioner). It dates your demand and builds proof. The 15-day deadline is already running from your designation.
- 2 Summary proceeding (référé) Art. 28**
Once the deadline has passed without handover, bring the matter before the president of the court of first instance, acting as juge des référés. An urgent procedure, not a full trial.
- 3 Judicial penalty (astreinte) Art. 28**
The judge orders the documents and funds handed over under astreinte: a financial penalty, usually per day of delay, that runs for as long as the former syndic fails to comply.

Worth knowing: Article 28 provides a direct référé route; unlike the general Article 13 action, it does not itself mention prior conciliation.

Informational, not legal advice. For a bounced check left by the former syndic (a separate matter, outside Law 18-00) or for your specific situation, consult a lawyer. Verified texts: Law 18-00 (Arts. 19, 26ter, 27, 28) and Décret 2.23.700 (Annexe 1, Art. 11).

