

If B received the house believing in good faith that he was entitled to it, B is only bound to account to A for the rent of January and following months up to the restitution.

If B received the house in bad faith, that is to say knowing that he was not entitled to it, he is bound to account to A for the rent of October and following months up to restitution.

116. — If the person who returns the property has incurred expenses on account of it, he is entitled to reimbursement from the person to whom the property is returned, as provided in the following sections.

117. — Expenses which were necessary for the preservation of the property or for its maintenance or repair, or ~~for~~ charges incumbent upon it must be reimbursed in full.

If the person who returns the property has collected the profits, the expenses for maintenance, repairs or charges must be borne by him to the extent of the value of such profits.

[ILLUSTRATION. — A is ordered under Section 105 to restore to B a house which had been unduly delivered to him by B.

a) A has incurred 200 baht expenses in repairing the roof of the house and he has paid 50 baht house tax on it. B must reimburse these 250 baht to A. If A has leased the house and collected 150 baht rent, he is entitled to keep such rent if he was in good faith (Section 114). But then these 150 baht profits must be deducted from the 250 baht to be reimbursed to him, that is to say that B would have finally to reimburse 100 baht balance;

b) if A. has ascertained at a certain time that the house was on the verge of falling in owing to floods, and has had to make 5000 baht for the ground works, this is an expense for preservation. Then B must reimburse to A 5000 baht; and no deduction shall be made of any rent collected by A and which he is entitled to keep on account of his being in good faith.]

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[TEXT UNDER TAG]

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