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UDC 343.9.018:343.7

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METHODOLOGY OF FORMATION OF CRIMINOLOGICAL CHARACTERISTICS OF CRIMES IN THE SPHERE OF CIRCULATION OF REAL ESTATE

Thought out, scientifically validated methodology of any research, including the criminological characteristics of crimes in the field of turnover of real estate, is the basis for obtaining the most complete and objective knowledge about the subject of knowledge, the problem of its development, the causes of degradation and ways of solving this problem. Concerning the issues of research methodology, German scientist-lawyer G. Ellineek wrote at the beginning of the 20th century: “Anyone who starts researching social problems can not but feel the lack of a deeply thought-out

methodology ... an arbitrary interpretation of the principles is perceived as the supreme form of knowledge”. Violation of the principles of law-making as a result of the imbalance in the system of criminal justice in the country, the rapid spread and failure in the solution of crimes show the extraordinary urgency of the conclusions of G. Ellinek, who wrote: “...to become fruitful, should begin with the establishment of methodological principles...”. Accordingly, the purpose of this paper is to develop a theory-based, methodologically weighed, praxeologically verified criminological characteristic of crimes in the field of turnover of real estate. The research objective is to develop a methodology for forming a typical criminological characteristic of crimes in the real estate turnover area. Proposed in the paper the typical structure of the criminological characteristics of crimes is grounded on the basis of five elements of the subject of criminology and methodology, depending on the technological features of the subject of the study, can become an effective means of an objective definition of the state, tendencies, causes of the problem, measures of prevention and counteraction to crimes in different areas of real estate turnover.

Conclusions: 1. The concept of methodology, in addition to methods of cognition, includes the following structural elements of the methodology, such as: methods, methods and means of cognition, a system of their interpretation (order of application), depending on the content of the subject of knowledge – production and accounting technologies of different directions of the objects turnover real estate, considered through the prism of the elements of the subject of criminology, the content of the goals and objectives of the study, which together form structural and functional elements of the methodology and form the structure of the criminological characteristics.

2. Inclusion in the subject of study of economic, organizational, technical and other sciences, problems of prevention and counteraction to crimes is due to the fact that: 1) crime, undeniably, alleviates the development of both the sciences and the sectors of the economy they serve; 2) economic crimes are committed in the process and under the guise of economic, permitting, control, licensing, civil law or other types of capital turnover; 3) without the involvement of knowledge from these sciences to counteract crime it is impossible to detect, to warn or to document the fact of committing such crimes, as well as to prevent the degradation of the sciences and the activities that they serve.

3. The proposed methodological approaches and the established structure of criminological characteristics of crimes in the sphere of turnover of real estate objects can be extrapolated to any other criminological research of tort relations in the field of economics, management, civil law, corporate and any other spheres of economic relations.

4. The empirical data obtained during the research will be the basis for determining the problems and ways of their solution and directions of development of preventive potential not only in criminology and criminal-law bloc of sciences, but also in financial, civil, economic, administrative law, banking activities, accounting, judicial accounting, auditing, control and auditing activities, other branches of legal, economic and technical knowledge that can be involved in the commission, and prevention of crimes committed at whole and in the sphere of real estate in particular.

Keywords: methodology, methods, techniques, technical means and system of their interpretation, limits of methodological pluralism, criminological characteristics, crimes in the sphere of real estate objects circulation, sciences, that possess preventive potential for the prevention and detection of crimes in the real estate objects circulation.