



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

CASE OF BAJZÍK AND OTHERS v. SLOVAKIA

(Applications nos. 46609/13 and 9892/14)

JUDGMENT

STRASBOURG

27 June 2017

This judgment is final but it may be subject to editorial revision.

In the case of Bajzík and Others v. Slovakia,

The European Court of Human Rights (Third Section), sitting as a Committee composed of:

Helen Keller, *President*,

Pere Pastor Vilanova,

Alena Poláčková, *judges*,

and Fatoş Aracı, *Deputy Section Registrar*,

Having deliberated in private on 6 June 2017,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in two applications (nos. 46609/13 and 9892/14) against the Slovak Republic lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by thirty-one applicants on 28 June 2013 and 22 January 2014 respectively. The particulars of the applicants appear in Appendices 1 and 2.

2. The applicants were represented before the Court by Mr J. Brichta, a lawyer practising in Bratislava. The Government of the Slovak Republic (“the Government”) were represented by their Agent, Ms M. Pirošíková.

3. The applicants complained under Article 1 of Protocol No. 1, both taken alone and in conjunction with Article 14 of the Convention, about restrictions which the rules governing rent control imposed on their right to peacefully enjoy their possessions.

4. On 19 May 2014 the applications were communicated to the Government.

5. The applicants and the Government each submitted written observations (Rule 59 § 1) on the admissibility, merits and just satisfaction, and replied in writing to each others’ observations.

6. The Government objected to the examination of the applications by a Committee. Having considered their objection, the Court dismisses it.

7. The applicants are all Slovak nationals, with the exception of Ms Judita Locke, who is a British national. The British Government, having been informed of their right to intervene (under Article 36 § 1 of the Convention and Rule 44 § 1 (a) of the Rules of Court), did not avail themselves of this right.

THE FACTS

I. THE CIRCUMSTANCES OF THE CASE

8. The applicants are owners of residential buildings which were or still are subject to the rent-control scheme. Under the relevant legislation they were obliged to let their flats to tenants while charging no more than the maximum amount of rent fixed by the State. The legislation precluded them from unilaterally terminating the leases or selling the flats in question to anyone other than the respective tenants. The particulars of the flats affected by the rent control are set out in Appendices 5 and 6 (columns A - F).

9. The situation of the applicants is structurally and contextually the same as that of the applicants in *Bittó and Others v. Slovakia* (no. 30255/09, 28 January 2014 (merits) and 7 July 2015 (just satisfaction) and subsequently decided cases concerning the rent-control scheme in Slovakia (*Krahulec v. Slovakia*, no. 19294/07; *Bukovčanová and Others v. Slovakia*, no. 23785/07; *Rudolfer v. Slovakia*, no. 38082/07, 5 July 2016; *Riedel and Others v. Slovakia*, nos. 44218/07, 54831/07, 33176/08, 47150/08; and *Mečiar and Others v. Slovakia*, no. 62864/09, 10 January 2017).

II. RELEVANT DOMESTIC LAW AND PRACTICE

10. The relevant domestic law and practice governing the rent-control scheme in Slovakia and its historical background are set out in the Court's judgment in the case of *Bittó and Others*, ((merits), cited above, §§ 7-16 and 32-72).

11. On 15 September 2011, the Termination and Settlement of Tenancy (Certain Apartments) Act (Law no. 260/2011) came into force; this legislation was enacted with a view to ending the rent-control scheme by 31 December 2016. The owners of apartments whose rent had been regulated were entitled to give notice by 31 March 2012 of the termination of a tenancy contract and to increase rent by 20% once a year as of 2011. However, if a tenant was exposed to material hardship, he or she would be able to continue to use the apartment while still paying a regulated rent, even after the expiry of the notice period, until a new tenancy contract with a municipality had been set up. Municipalities were obliged to provide a person exposed to material hardship with a municipal apartment at a regulated rent. If a municipality did not comply with that obligation by 31 December 2016, the landlord could claim from the municipality the difference between the free-market rent and the regulated rent.

THE LAW

I. JOINDER OF THE APPLICATIONS

12. The Court considers that given their common factual and legal background the two applications should be joined, in accordance with Rule 42 § 1 of the Rules of Court.

II. PRELIMINARY REMARKS

A. *Locus standi* of children of the deceased applicants

13. The Court has been informed that the applicants, Ms V. Hromcová and Mr Z. Ráček, died on 2 November 2013 and 2 March 2017, respectively. Children of the former, Ms V. Hromá and Mr J. Hromec, and a daughter of the latter, Ms J. Ráčková, all of whom are also the applicants in the present case, expressed the wish to pursue the applications in their respective parents' stead.

14. The Government did not object but pointed out that no evidence had been submitted to show that Ms Ráčková actually was the heir of Mr Ráček.

15. The Court notes that the present application concerns a property right which is, in principle, transferable to the next of kin of the deceased person and that the applicant died after having lodged the application. In those circumstances, the Court considers that Ms V. Hromá and Mr J. Hromec have standing to continue the present proceedings Ms V. Hromcová's stead. As to Ms Ráčková, it notes that she herself is one of the applicants in the present application and that no doubt has been cast on her being the daughter of the late applicant, Mr. Ráček. It is accordingly prepared to accept that she has standing to continue the present proceedings in his stead (see *Bittó and Others v. Slovakia*, no. 30255/09, § 74, 28 January 2014).

B. Death of Ms A. Discantiny

16. The applicants' representative informed the Court that the applicant Ms A. Discantiny had died on 12 November 2016 and that the inheritance proceedings were still pending. No prospective heir with a wish to pursue the application in her stead has been identified.

17. Having regard to the fact that the applicant died during the proceedings before the Court and that no one expressed the wish to pursue the proceedings in her stead, the Court considers that it is no longer justified to continue the examination of the part application introduced by Ms Discantiny. Furthermore, the Court finds no reasons of a general

character, as defined in Article 37 § 1 *in fine*, which would require the further examination of that part of the application by virtue of that Article. Accordingly, in so far as it was introduced by applicant Ms A. Discantiny, the case should be struck out of the list in accordance with Article 37 § 1 (c) of the Convention.

III. ADMISSIBILITY

A. Compliance with the six-month time-limit

18. Under Article 35 § 1 of the Convention, the Court may only deal with a matter “within a period of six months from the date on which the final decision was taken”. Where the alleged violation constitutes a continuing situation against which no domestic remedy is available, such as the application of a rent-control scheme in the present case, the six-month period starts to run from the end of the situation concerned (see *Bittó and Others v. Slovakia* (merits), cited above, § 75). The purpose of this rule is to maintain legal certainty by ensuring that cases raising issues under the Convention are examined within a reasonable time and to mark out the temporal limit of the supervision exercised by the Court and signal, both to individuals and State authorities, the period beyond which such supervision is no longer possible (*Sabri Güneş v. Turkey* [GC], no. 27396/06, § 40, 29 June 2012).

19. According to the information submitted by the applicants, the rent control ceased to apply in respect of certain flats or the applicants ceased being owners of some of the flats more than six months before the lodging of the present applications on 28 June 2013 and 22 January 2014, respectively. Those applicants, the property concerned and the relevant dates are specified in Appendices 3 and 4.

20. Those applicants argued that their situation constituted a continuing situation despite the fact that the rent control no longer applied to the property in question or that they were no longer owners of that property, because they had not been compensated for losses caused by the rent-control scheme. In addition, some of the applicants had sold or donated the property to other family members and perceived such a situation as constituting a continuing situation within the family.

21. The Government disagreed. They maintained that it was irrelevant whether the property had been transferred to family members because the original owners had had the opportunity to file an application with the Court during the entire period of the duration of their ownership rights but had failed to do so.

22. The Court notes that the situation complained of ended for the above-mentioned applicants at the moment when the rent control ceased to apply to their property or when they transferred the property to another

person (irrespective of whether or not it was transferred to a family member). In the absence of an effective domestic remedy, including a compensatory remedy, these applicants had six months from that moment to lodge an application with the Court. Because they failed to do so, the Court concludes that to the extent that they allege a breach of their rights as a result of rent control in respect of the flats indicated in Appendices 3 and 4, they have failed to respect the time-limit of six months laid down in Article 35 § 1 of the Convention (see *Bukovčanová and Others v. Slovakia*, no. 23785/07, § 12, 5 July 2016). It follows that this part of the application has been introduced out of time and must be rejected, in accordance with Article 35 §§ 1 and 4 of the Convention.

B. Application of the six-month time-limit in a situation when a tenant moved to another flat within the same building while rent control continued to apply

23. The applicants who are the owners of the property at 37 Grösslingova Street in Bratislava informed the Court that on 1 August 2003 the tenant residing in flat no. 3 had moved to flat no. 5 (located in the same building and owned by the same applicants) but had continued to pay only the regulated rent. The tenant had previously stayed from 1992 until August 2003 in flat no. 3 and thereafter until 2014 in flat no. 5. They considered this situation as continuing for the purposes of the calculation of the six-month time-limit.

24. The Government maintained that the rent control had applied to flats and not individual tenants and that therefore, the situation after the tenant had moved to another flat could not be seen as continuing in respect of the original flat.

25. The Court observes that even after the tenant moved to another flat within the same building the applicants could still charge him no more than the maximum regulated rent for using that flat. In such a situation they continued to be affected by the rent-control scheme even after the tenant moved. Therefore and in so far as the Government substantiated their objection, the Court is not persuaded that the situation cannot be seen as continuing in respect of the application of rent-control scheme to the applicants in question. It therefore considers that the situation described above is continuing for the purposes of the calculation of the six-month time-limit and dismisses the Government's objection.

C. Unsubstantiated complaints

26. The Government objected that the applicants, Mr M. Polakovič and Ms L. Polakovičová, had not been the owners of the property located at 4 Saratovská Street in Bratislava at the time of the lodging their application

and that therefore their application was belated. The applicants did not submit documents which would have disproved the Government's objection or otherwise substantiate their application. In such a situation, the Court cannot find it established that they were the owners of the property in question at the time of having lodged the application or at least six months before that date. Therefore, the application in respect of these two applicants is to be considered as unsubstantiated and must be rejected as manifestly ill-founded, pursuant to Article 35 §§ 3 (a) and 4 of the Convention.

D. Remainder of the application

27. The Court notes that the remaining complaints are not manifestly ill-founded within the meaning of Article 35 § 3 of the Convention. It further notes that they are not inadmissible on any other grounds. They must therefore be declared admissible.

IV. MERITS

A. Alleged violation of Article 1 of Protocol No. 1

28. The applicants complained that their right to the peaceful enjoyment of their possessions had been breached as a result of the implementation of rules governing rent control that applied to their property. They relied on Article 1 of Protocol No. 1 to the Convention, which reads as follows:

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

29. The applicants argued that the restrictions applied to the use of their property under the rent-control scheme had imposed a disproportionate burden on their ownership rights. They argued that the rent which they were allowed to charge for letting their property was disproportionately low compared with similar flats to which the rent-control scheme did not apply and that despite a number of increases in the regulated rent, this remained much lower than the market rent. They supported their arguments by submitting expert opinions. Furthermore, the legislation adopted with a view to eliminating the rent-control scheme did not provide for compensation for owners of residential buildings in their position.

30. The Government conceded that the rent-control scheme had resulted in a restriction on the use of the applicants' property, but argued that it had been in accordance with the law and had pursued the legitimate aim of protecting tenants against unaffordable increases in rent. As to the requirement of proportionality, they challenged the method used by the experts to calculate market rent for the purpose of the expert opinions submitted by the applicants and argued that the restrictions imposed on the applicants' property had not been disproportionate. They submitted their own expert opinion, which set out the average monthly market rent for flats comparable to those of the applicants. Lastly, they maintained that the situation had been resolved by the legislation adopted in 2011, which envisaged the elimination of all rent control by the end of 2016.

31. The relevant case-law of the Court is summarised in *Bittó and Others* ((merits), cited above, §§ 94-100, with further references).

32. In *Bittó and Others* and subsequent rent control cases (see, among others, *Bukovčanová and Others*, cited above), the Court found (i) that the rent-control scheme had amounted to an interference with the applicants' property, (ii) that that interference had constituted a means of State control of the use of their property to be examined under the second paragraph of Article 1 of Protocol No. 1, (iii) that it had been "lawful" within the meaning of that Article, (iv) that it had pursued a legitimate social policy aim, and (v) that it had been "in accordance with the general interest", as required by the second paragraph of that Article (see *Bittó and Others* (merits), cited above, §§ 101-104).

33. As to the requirement of proportionality, the Court noted in *Bittó and Others* and the subsequent rent control cases that regardless of the difference in the calculation methods on which the parties relied, the evidence submitted by both parties was sufficient to conclude that the regulated rent had remained considerably lower than the market rent, even after several increases in the regulated rent provided for by the relevant legislation (see *Bittó and Others*, cited above, § 113, and *Mečiar and Others v. Slovakia*, cited above, § 26). The Court also took into account the fact that the legislation allowing for gradual increases in the regulated rent did not serve as a basis for obtaining compensation for the use of the property under the rent-control scheme with any retrospective effect (*Bukovčanová and Others*, cited above, § 42). The Court concluded that in implementing the rent-control scheme the authorities had failed to strike the requisite fair balance between the general interests of the community and the protection of the applicants' property rights, as a result of which there had been a violation of their rights under Article 1 of Protocol No. 1 (*Bittó and Others*, (merits), cited above, § 116).

34. The Court observes that the present case follows the pattern of *Bittó and Others* and subsequent rent control cases. The Government voiced the same objections regarding the proportionality of the interference in question

as it did in *Bittó and Others* and have not put forward any fact or argument capable of persuading the Court to reach a different conclusion in the present case. Having regard to its well-established case-law on the subject, the Court considers that there has been a violation of Article 1 of Protocol No. 1.

B. Alleged violation of Article 14 of the Convention, taken together with Article 1 of Protocol No. 1

35. The applicants maintained that the restrictions imposed by the rent-control scheme amounted to discriminatory treatment. The Court considers it appropriate to examine this complaint under Article 14 of the Convention, in conjunction with Article 1 of Protocol No. 1. Article 14 reads as follows:

“The enjoyment of the rights and freedoms set forth in [the] Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.”

36. The Government disagreed and argued that the applicants’ situation was not similar in any relevant respect to that of owners of buildings to which the rent-control scheme did not apply.

37. The Court dealt with essentially the same complaint in *Bittó and Others* ((merits), cited above, §§ 120-25) and found that in view of its conclusion that there had been a breach of the applicants’ rights under Article 1 of Protocol No. 1, no separate issue arose under Article 14 of the Convention. The Court sees no reason to hold otherwise in the present case. Accordingly, it is not necessary to examine the merits of the applicants’ complaint under those provisions.

V. APPLICATION OF ARTICLE 41 OF THE CONVENTION

38. Article 41 of the Convention provides:

“If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.”

A. Damage

39. The applicants claimed compensation for the pecuniary damage which they had suffered as a result of the obligation to let their flats under the conditions imposed by the rent-control scheme. In respect of the period between 18 March 1992 and 31 October 2014, the amounts claimed were based on opinions prepared by experts and determined as the difference

between the market rent applicable to similar dwellings and the regulated rent which the applicants had been allowed to charge throughout the period of their ownership of the property in question and the application of the rent-control scheme. The amounts claimed included the property in respect of which the application was declared inadmissible (see paragraph 22 above). Those sums were then increased by the default interest applicable under Slovak law. The individual applicants' claims are set out in Appendices 5 and 6 (column G). For the period starting on 1 November 2014 they claimed a daily amount corresponding to the average daily loss determined by the expert opinions submitted by the applicants. In addition, the applicants claimed EUR 50,000 each in respect of non-pecuniary damage.

40. The Government objected to the applicants' claims in respect of pecuniary and non-pecuniary damage as being excessive. They also contested the method by which the experts hired by the applicants had determined the alleged pecuniary damage.

41. The applicable case-law principles are summarised in *Bittó and Others v. Slovakia* (just satisfaction), no. 30255/09, §§ 20-29, 7 July 2015). In line with its findings in that case, the Court acknowledges that the applicants must have sustained damage, for which they are to be compensated with an aggregate sum covering all heads of damage. As to the scope of the applicants' claim, the Court points out that any such compensation may only be befitting in respect of the part of the application that, having previously been declared admissible, has given rise to a finding of a violation of the applicants' Convention rights.

42. In determining the scope of the award, the Court refers to the criteria further developed in *Bukovčanová and Others v. Slovakia* (cited above, § 51). As in that case, the Court will take into account all the circumstances, including (i) the purpose and the context of the rent control and the level of the awards in *Bittó and Others* (cited above), (ii) the size of the property in question, (iii) the duration of the application of the rent-control scheme in relation to each individual part of the property, (iv) its location, and (v) the ownership shares of the respective applicants in the property.

As regards the situation when a tenant moved to another flat while rent control continued to apply (see paragraph 23 above), the Court will take into account the size of the flat in which the tenant was living at the relevant time (see Appendix 5, flats nos. 3 and 5 at 37 Grösslingova Street in Bratislava).

43. As to the temporal scope of the applicants' claims, the Court observes that under Law no. 260/2011 the owners of property which remained subjected to rent control after 31 December 2016 are entitled to claim from the municipality in question the difference between the free-market rent and the regulated rent for that property (see paragraph 11 above). The Court finds that, in such circumstances and in the absence of

arguments from the parties to the contrary, there is no scope for just-satisfaction awards for the period subsequent to 31 December 2016 (see, *mutatis mutandis*, *Silášová and Others v. Slovakia*, no. 36140/10, § 64, 28 June 2016).

44. In the light of the above, the Court finds it appropriate to award:

(i) the applicants in application no. 46609/13 aggregate sums covering all heads of damage specified in respect of each individual applicant in Appendix 5 (column H) – a total amount of EUR 315,000 – plus any tax that may be chargeable on those amounts;

(ii) the applicants in application no. 9892/14 aggregate sums covering all heads of damage specified in respect of each individual applicant in Appendix 6 (column H) – a total amount of EUR 671,400 – plus any tax that may be chargeable on those amounts.

45. The award in respect of pecuniary and non-pecuniary damage totals EUR 986,400, plus any tax that may be chargeable in respect of this amount.

46. As to the part of the award in respect of the late applicant Mr Ráček, the Court notes that no evidence has been submitted to show that inheritance proceedings in respect of his estate have been completed (see paragraph 14 above). Accordingly, it considers it appropriate that the award should be paid to his estate.

B. Costs and expenses

47. The applicants claimed:

(i) EUR 41,712 (application no. 46609/13) and EUR 27,458 (application no. 9892/14) in legal costs in respect of their representation in the proceedings before the Court;

(ii) EUR 21,639 (application no. 46609/13) and EUR 44,676 (application no. 9892/14) for the preparation of the expert opinions submitted to the Court;

(iii) EUR 159 (application no. 46609/13) for the opinion of the National Association of Real Estate of Slovakia; and

(iv) EUR 8,325 (in each application) in legal costs at the domestic level.

48. The Government challenged the costs claimed by the applicants as being excessive.

49. Regard being had to the documents in its possession and to its case-law (*Bittó and Others* (just satisfaction), cited above, § 35), the Court rejects the claim for costs and expenses in the domestic proceedings. As to the remaining claims the Court considers it reasonable to award the following sums (*Mečiar and Others*, cited above, § 45):

(i) EUR 1,000 to each applicant whose application is not being declared inadmissible in respect of legal costs for representation in the proceedings

before the Court – namely EUR 19,000 jointly in application no. 46609/13, and EUR 6,000 jointly in application no. 9892/14;

(ii) 25% of the total sum claimed in respect of the expert opinions on the rental value of individual flats – namely, EUR 5,410 jointly in application no. 46609/13, and EUR 11,169 jointly in application no. 9892/14. These amounts are to be apportioned *pro rata* among the applicants according to the respective costs of the individual expert opinions that they submitted;

(iii) EUR 159 jointly to the applicants in application no. 46609/13 for the opinion of the National Association of Real Estate of Slovakia.

50. The award in respect of costs and expenses therefore totals EUR 41,738, plus any tax that may be chargeable to the applicants.

51. As the given part of the award in respect of damage, and for the same reasons (see paragraph 46 above), the part of the award in respect of costs and expenses concerning the late applicant Mr Ráček should be paid to his estate.

C. Default interest

52. The Court considers it appropriate that the default interest rate should be based on the marginal lending rate of the European Central Bank, to which should be added three percentage points.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Holds* that Ms V. Hromá and Mr J. Hromec have standing to continue the present proceedings in Ms V. Hromcová's stead and that Ms J. Ráčková has standing to continue the present proceedings in Mr Z. Ráček's stead;
3. *Decides* to strike the application out of its list of cases in so far as introduced by the applicant Ms A. Discantiny;
4. *Declares* the applications inadmissible in so far as they concern the application of the rent-control scheme to the property indicated in Appendices 3 and 4, and in so far as they concern the complaints of Mr M. Polakovič and Ms L. Polakovičová, and the remainder of the applications admissible;
5. *Holds* that there has been a violation of Article 1 of Protocol No. 1 to the Convention;

6. *Holds* that it is not necessary to examine the applicants' complaint under Article 14 of the Convention, taken in conjunction with Article 1 of Protocol No. 1;
7. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months, the following amounts:
 - (i) EUR 986,400 (nine hundred and eighty-six thousand four hundred euros), plus any tax that may be chargeable, in respect of pecuniary and non-pecuniary damage (paragraphs 44 - 46);
 - (ii) EUR 41,738 (forty-one thousand seven hundred and thirty-eight euros), plus any tax that may be chargeable to the applicants, in respect of costs and expenses (paragraphs 49 - 51);
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period, plus three percentage points;
8. *Dismisses* the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 27 June 2017, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Fatoş Aracı
Deputy Registrar

Helen Keller
President

APPENDIX 1**Application no. 46609/13 – list of applicants**

1. Mr Jerguš Bajzík, who was born in 1971 and lives in Bratislava.
2. Mr Ján Valášek, who was born in 1944 and lives in Trnava.
3. Mr Tomáš Valášek, who was born in 1972 and lives in Bratislava.
4. Mr Marek Liška, who was born in 1951 and lives in Trenčín.
5. Mr Rudolf Tupý, who was born in 1954 and lives in Žilina.
6. Ms Mária Tupá, who was born in 1930 and lives in Žilina.
7. Ms Marta Tupá, who was born in 1956 and lives in Žilina.
8. Mr Zdenko Ráček, who was born in 1929 and lived in Bratislava. He died on 2 March 2017.
9. Ms Jana Ráčková, who was born in 1952, lives in Bratislava.
10. Ms Viera Hromcová, who was born in 1927 and lived in Bratislava. She died on 2 November 2013.
11. Ms Viera Hromá, who was born in 1955 and lives in Bratislava.
12. Mr Juraj Hromec, who was born in 1950, lives in Bratislava.
13. Mr Peter Ondrejko, who was born in 1940 and lives in Bratislava.
14. Ms Alena Ondrejková, who was born in 1951 and lives in Bratislava
15. Ms Judita Locke, who was born in 1943 and lives in Stafford, United Kingdom
16. Mr Pavol Ondrejko, who was born in 1983 and lives in Bratislava.
17. Mr Juraj Ondrejko, who was born in 1980 and lives in Bratislava.
18. Mr Tomáš Weis, who was born in 1950 and lives in Bratislava.
19. Ms Alena Weisová, who was born in 1955 and lives in Borinka.
20. Ms Adriana Weisová, who was born in 1979 and lives in Borinka.
21. Mr Oliver Weis, who was born in 1976 and lives in Bratislava.
22. Mr Marian Meszároš, who was born in 1980 and lives in Salzburg, Austria.
23. Mr Marian Polakovič, who was born in 1982 and lives in Bratislava.
24. Ms Lívia Polakovičová, who was born in 1993 and lives in Bratislava.

The applicants listed under nos. 13 and 14 are spouses.

APPENDIX 2**Application no. 9892/14 – list of applicants**

1. Mr Milan Kiaček, who was born in 1955 and lives in Bratislava.
2. Ms Elena Kiačeková, who was born in 1927 and lives in Bratislava.
3. Mr Dušan Frič, who was born in 1950 and lives in Malá Ida.
4. Ms Kristína Palková, who was born in 1955 and lives in Košice.
5. Ms Aurélia Discantiny, who was born in 1924 and lived in Bratislava. She died on 12 November 2016.
6. Ms Mária Králiková, who was born in 1950 and lives in Banská Bystrica.
7. Ms Ľubomíra Kozlová, who was born in 1952 and lives in Bratislava.

APPENDIX 3

Application no. 46609/13 – inadmissible complaints

Applicant	Residential house	Flat	Period of application of rent control/ownership in respect of the flats concerned
Jerguš Bajzík	M. R. Štefánika 45, Žilina	2	10/01/2005 - 20/04/2005
		3	10/01/2005 - 20/01/2006
Rudolf Tupý	Ulica republiky 12, Žilina	4	04/01/2006 - 30/04/2008
		6	04/01/2006 - 31/08/2007
		8	04/01/2006 - 31/08/2008
Marta Tupá	Ulica republiky 12, Žilina	8	14/07/1998 - 31/08/2008
Mária Tupá	Ulica republiky 12, Žilina	1	01/05/1992 - 31/08/1993
		2	01/05/1992 - 30/06/2006
		3	01/05/1992 - 03/01/2006
		4	01/05/1992 - 03/01/2006
		6	01/05/1992 - 03/01/2006
		5	01/05/1992 - 30/09/1997
		7	01/05/1992 - 31/01/1998
		8	01/05/1992 - 13/07/1998
Zdenko Ráček	Vajnorská 19, Bratislava	2	24/06/1991 - 25/11/2002
		3	24/06/1991 - 25/11/2002
		6	24/06/1991 - 25/11/2002
		7	24/06/1991 - 25/11/2002
		10	24/06/1991 - 25/11/2002
		4	24/06/1991 - 30/06/2008
		9	24/06/1991 - 01/10/2005
Viera Hromá Juraj Hromec (who pursue the application instead of their late mother Ms Viera Hromcová)	Vajnorská 19, Bratislava	2	24/06/1991 - 31/05/2010
		3	24/06/1991 - 10/07/2012
		6	24/06/1991 - 10/07/2012
		7	24/06/1991 - 10/07/2012
		4	24/06/1991 - 25/11/2002
		5	24/06/1991 - 25/11/2002
		8	24/06/1991 - 25/11/2002
		9	24/06/1991 - 25/11/2002
		10	24/06/1991 - 01/06/2005

APPENDIX 4

Application no. 9892/14 – inadmissible complaints

Applicant	Residential house	Flat	Period of application of rent control/ownership in respect of the flats concerned
Milan Kiaček	Račianska 55, Bratislava - Nové mesto	2, 22 4, 16, 21 12	17/10/2008 - 31/12/2012 17/10/2008 - 31/10/2012 17/10/2008 - 31/10/2010
	Račianska 57, Bratislava - Nové mesto	2 3, 22 8 12	17/10/2008 - 28/02/2011 17/10/2008 - 31/12/2012 17/10/2008 - 31/10/2012 17/10/2008 - 31/11/2008
	Lazaretská 2, Bratislava - Staré mesto	3-BI 5-BI 11-BI 12-BI 5-BII 9-BII 13-BII	17/10/2008 - 30/06/2009 17/10/2008 - 15/11/2011 17/10/2008 - 31/07/2010 17/10/2008 - 31/03/2009 17/10/2008 - 30/04/2009 17/10/2008 - 31/01/2009 17/10/2008 - 31/21/2012
	Lazaretská 4, Bratislava - Staré mesto	4-AI 6-AI 7-AI 5-AII 7-AII	17/10/2008 - 31/12/2012 17/10/2008 - 31/08/2010 17/10/2008 - 30/09/2011 17/10/2008 - 31/07/2012 17/10/2008 - 30/04/2011
Elena Kiačeková Dušan Frič Kristína Palková	Račianska 55, Bratislava - Nové Mesto	2, 22	29/10/1991 - 31/12/2012
		4, 16, 21	29/10/1991 - 31/10/2012
		5	29/10/1991 - 31/10/2004
		6, 7	29/10/1991 - 31/03/2001
		8	29/10/1991 - 31/12/2000
		9	29/10/1991 - 30/04/1996
		11	29/10/1991 - 31/01/1995
		12	29/10/1991 - 31/10/2010
		13	29/10/1991 - 29/02/2000
		14	29/10/1991 - 31/07/1997
		17	29/10/1991 - 31/12/2001
		18	29/10/1991 - 30/09/2000
		19	29/10/1991 - 31/12/1998
	20	29/10/1991 - 31/12/2007	
24	29/10/1991 - 31/08/2001		
		2	29/10/1991 - 28/02/2011

Elena Kiačeková Dušan Frič Kristína Palková	Račianska 57, Bratislava - Nové mesto	3, 22	29/10/1991 - 31/12/2012
		6	29/10/1991 - 31/04/2001
		7	29/10/1991 - 30/06/2003
		8	29/10/1991 - 31/10/2012
		10	29/10/1991 - 28/02/2005
		11	29/10/1991 - 31/07/1995
		12	29/10/1991 - 30/11/2008
		15	29/10/1991 - 30/11/2001
		16	29/10/1991 - 30/04/1998
		17	29/10/1991 - 30/09/2008
		19	29/10/1991 - 30/06/1996
		21	29/10/1991 - 31/12/2000
		23	29/10/1991 - 31/03/2000
		24	29/10/1991 - 31/04/1995
		Lazaretská 2, Bratislava - Staré mesto	1-BI
	3-BI		18/02/1992 - 30/06/2009
	5-BI		18/02/1992 - 15/11/2011
	6-BI		18/02/1992 - 28/02/1996
	7-BI		18/02/1992 - 30/06/1994
	9-BI		18/02/1992 - 31/12/1997
	11-BI		18/02/1992 - 31/07/2010
	12-BI		18/02/1992 - 31/03/2009
	13-BI		18/02/1992 - 31/12/2001
	14-BI		18/02/1992 - 30/10/1994
	15-BI, 16-BI		18/02/1992 - 31/03/1999
	17-BI		18/02/1992 - 30/10/2004
	18-BI		18/02/1992 - 30/04/2002
	20-BI		18/02/1992 - 28/02/1994
	22-BI		18/02/1992 - 30/10/2002
	1-BII	18/02/1992 - 30/09/2006	
3-BII	18/02/1992 - 31/03/2000		
5-BII	18/02/1992 - 30/04/2009		
7-BII	18/02/1992 - 31/07/2003		
8-BII	18/02/1992 - 28/02/2005		
9-BII	18/02/1992 - 31/01/2009		
10-BII	18/02/1992 - 30/04/1999		
12-BII	18/02/1992 - 31/07/1997		
13-BII	18/02/1992 - 31/12/2012		
Lazaretská 4, Bratislava - Staré mesto	2-AI	18/02/1992 - 31/08/1993	
	3-AI	18/02/1992 - 31/08/1998	
	4-AI	18/02/1992 - 31/12/2012	
	6-AI	18/02/1992 - 31/08/2010	
	7-AI	18/02/1992 - 30/09/2011	
	8-AI	18/02/1992 - 30/06/1997	

Elena Kiačková Dušan Frič Kristína Palková		9-AI	18/02/1992 - 31/12/1993
		10-AI	18/02/1992 - 31/03/1994
		11-AI	18/02/1992 - 31/08/2005
		12-AI	18/02/1992 - 28/02/2006
		13-AI	18/02/1992 - 30/09/2001
		1-AII	18/02/1992 - 30/09/1997
		2-AII	18/02/1992 - 31/03/2004
		4-AII	18/02/1992 - 31/12/1992
		5-AII	18/02/1992 - 31/07/2012
		6-AII	18/02/1992 - 31/12/2001
		7-AII	18/02/1992 - 30/04/2011
		8-AII	18/02/1992 - 30/11/1999
		9-AII	18/02/1992 - 30/11/2006
		10-AII	18/02/1992 - 30/09/1998
		12-AII	18/02/1992 - 28/02/1996
		13-AII	18/02/1992 - 28/02/1995
		1-AIII	18/02/1992 - 30/11/1996
		2-AIII	18/02/1992 - 30/06/2007
		4-AIII	18/02/1992 - 30/04/1994
6-AIII	18/02/1992 - 30/04/2004		
Mária Králiková	Zámočnícka 11, Bratislava - Staré mesto	1	16/05/2006 - 31/12/2008
		5	16/05/2006 - 31/05/2006
		14	16/05/2006 - 28/02/2007

APPENDIX 5

Application no. 46609/13

A. Applicant	B. Residential building address	C. Flat no.	D. Area [m ²]	E. Period of application of rent control	F. Ownership share	G. Pecuniary damage claimed [€]	H. Just satisfaction awarded for the period of application of rent control or up to 31 December 2016 [€]
Jerguš Bajzík	M. R. Štefánika 45, Žilina	1 6 4 5	107.25 87.96 88.14 102.63	10/01/2005 - 31/07/2013 10/01/2005 - 31/07/2013 10/01/2005 - 24/08/2013 10/01/2005 - 30/09/2013	1/1	225,094.25	54,100
Ján Valášek	Vlčkova 39, Bratislava - Staré Mesto	1	58.75	27/04/2000 - 14/02/2014	1/3	55,158.09	15,300
Tomáš Valášek	Vlčkova 39, Bratislava - Staré Mesto	1	58.75	26/07/2013 - 06/10/2014	2/3 (26/07/2013 - 14/02/2014) 1/1 (15/02/2014 - 06/10/2014)	4,487.30	1,500
Marek Liška	M. Rázusa 10, Trenčín	2 3	119.56 119.56	18/03/1992 - 31/05/2016 18/03/1992 - 28/02/2015	1/1	352,870.44	98,400
Rudolf Tupý	Ulica republiky 12, Žilina	3	57.70	04/01/2006 - 31/07/2013	1/1	34,321.17	7,100

Zdenko Ráček	Vajnorská 19, Bratislava - Staré Mesto	5 8	24.18 76.48	18/03/1992 - 04/02/2013 18/03/1992 - 31/12/2012	1/2: 18/03/1992 - 25/11/2002 1/1: 26/11/2002 - 04/02/2013 1/2: 18/03/1992 - 25/11/2002 1/1: 26/11/2002 - 31/12/2012	547,275.71	28,600 to be paid to the applicant's estate
Jana Ráčková	Vajnorská 19, Bratislava - Staré Mesto	5	24.18	05/02/2013 -	1/1	3,686.19	1,400
Viera Hromá	Vajnorská 19, Bratislava - Staré Mesto	6 7	25.32 93.82	11/07/2012 - 11/07/2012 - 10/11/2014	1/2 1/1	19,944.91	4,500
Juraj Hromec	Vajnorská 19, Bratislava - Staré Mesto	3 6	93.02 25.32	11/07/2012 - 11/07/2012 -	1/1 1/2	19,298.65	8,000
Peter Ondrejko	Grösslingova 37, Bratislava - Staré Mesto	3** 5	149.96 53.86	18/11/1992 -31/07/2003 01/08/2003 - 28/02/2014	5/16: 18/11/1992 - 07/04/2004 2/16: 08/04/2004 - 21/06/2004 4/16: 22/06/2004 - 01/02/2005 1/16: 02/02/2005 - 01/08/2012	116,513.18	10,600
Peter Ondrejko Alena Ondrejko	Grösslingová 37, Bratislava - Staré Mesto	5	53.86	01/08/2003 - 28/02/2014	6/16: 28/10/2003 - 03/01/2013 2/16: 04/01/2013 -	40,234.90*	3,900*
Judita Locke	Grösslingová 37, Bratislava - Staré Mesto	3** 5	149.96 53.86	18/11/1992 -31/07/2003 01/08/2003 - 28/02/2014	5/16: 18/11/1992 - 21/06/2004 3/16: 22/06/2004 -	128,555.96	11,800
Pavol Ondrejko	Grösslingová 37, Bratislava - Staré Mesto	5	53.86	01/08/2003 - 28/02/2014	3/16: 02/02/2005 - 26/08/2012 4/16: 27/08/2012 - 03/01/2013 6/16: 04/01/2013 -	18,558.16	2,000
Juraj Ondrejko	Grösslingová 37, Bratislava - Staré Mesto	5	53.86	01/08/2003 - 28/02/2014	3/16: 08/04/2004 - 03/01/2013 5/16: 04/01/2013 -	20,213.24	2,100

Tomáš Weis	Saratovská 4, Bratislava - Dúbravka	14 17 35 30	50.21 37.39 37.39 22.89	09/02/2004 - 12/06/2008 - 11/06/2008 - 11/11/2010 -	1/1	126,423.69	24,900
Alena Weisová	Saratovská 4, Bratislava - Dúbravka	25	58.85	27/04/2011 -	1/1	14,981.25	5,500
Adriana Weisová	Saratovská 4, Bratislava - Dúbravka	13 19	58.85 58.85	07/12/2007 - 17/04/2003 - 17/10/2016	1/1	128,936.63	24,100
Oliver Weis	Saratovská 4, Bratislava - Dúbravka	36	22.89	20/02/2008 -	1/1	17,161.43	3,500
Marian Meszároš	Saratovská 4, Bratislava - Dúbravka	55	58.85	17/06/2008 - 14/07/2015	1/1	37,390.27	7,700
Total						1,906,618.12	315,000

* The applicants are spouses

** The tenant moved to another flat within the same building while the rent control continued to apply.

APPENDIX 6**Application no. 9892/14**

A. Applicant	B. Residential building address	C. Flat no.	D. Area [m²]	E. Period of application of rent control	F. Ownership share	G. Pecuniary damage claimed [€]	H. Just satisfaction awarded for the period of application of rent control or up to 31 December 2016 [€]
Milan Kiaček	Račianska 55, Bratislava - Nové Mesto	1 3 10 15 23 25	44.61 54.96 51.91 53.15 53.15 41.64	17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 - 28/02/2015 17/10/2008 - 17/10/2008 -	1/4	244,689.61	10,900
Milan Kiaček	Račianska 57, Bratislava - Nové Mesto	1 5 9 14 18 20	44.66 45.36 45.48 52.51 51.72 45.45	17/10/2008 - 17/10/2008 - 31/10/2014 17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 - 30/09/2013	1/4		9,600

Milan Kiaček	Lazaretská 2, Bratislava - Staré Mesto	2-BI 4-BI 10-BI 19-BI 4-BII 6-BII 11-BII 8-BI	49.05 50.37 49.05 49.58 47.46 47.46 103.68 50.37	17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 - 28/11/2014	1/4		16,200
Milan Kiaček	Lazaretská 4, Bratislava - Staré Mesto	1-AI 5-AI 14-AI 15-AI 3-AII 11-AII 3-AIII 5-AIII	58.26 72.83 46.48 48.61 43.94 74.25 53.51 53.51	17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 - 31/10/2014 17/10/2008 - 17/10/2008 - 17/10/2008 - 17/10/2008 -	1/4		16,400
Elena Kiačeková	Račianska 55, Bratislava - Nové Mesto	1 3 10 15 23 25	44.61 54.96 51.91 53.15 53.15 41.64	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 28/02/2015 18/03/1992 - 18/03/1992 -	1/2 29/10/1991 - 05/02/2006 1/4 06/02/2006 -	2,589,365.54	52,700
Elena Kiačeková	Račianska 57, Bratislava - Nové Mesto	1 5 9 14 18 20	44.66 45.36 45.48 52.51 51.72 45.45	18/03/1992 - 18/03/1992 - 31/10/2014 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 30/09/2013	1/2 29/10/1991 - 05/02/2006 1/4 06/02/2006 -		49,400

Elena Kiačková	Lazaretská 2, Bratislava - Staré Mesto	2-BI 4-BI 10-BI 19-BI 4-BII 6-BII 11-BII 8-BI	49.05 50.37 49.05 49.58 47.46 47.46 103.68 50.37	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 28/11/2014	1/2 18/02/1992 - 25/01/2006 1/4 26/01/2006 -		78,600
Elena Kiačková	Lazaretská 4, Bratislava - Staré Mesto	1-AI 5-AI 14-AI 15-AI 3-AII 11-AII 3-AIII 5-AIII	58.26 72.83 46.48 48.61 43.94 74.25 53.51 53.51	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 31/10/2014 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 -	1/2 18/02/1992 - 25/01/2006 1/4 26/01/2006 -		79,400
Dušan Frič	Račianska 55, Bratislava - Nové Mesto	1 3 10 15 23 25	44.61 54.96 51.91 53.15 53.15 41.64	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 28/02/2015 18/03/1992 - 18/03/1992 -	1/4		33,200
Dušan Frič	Račianska 57, Bratislava - Nové Mesto	1 5 9 14 18 20	44.66 45.36 45.48 52.51 51.72 45.45	18/03/1992 - 18/03/1992 - 31/10/2014 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 30/09/2013	1/4	1,518,307.81	30,800

Dušan Frič	Lazaretská 2, Bratislava - Staré Mesto	2-BI 4-BI 10-BI 19-BI 4-BII 6-BII 11-BII 8-BI	49.05 50.37 49.05 49.58 47.46 47.46 103.68 50.37	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 28/11/2014	1/4		49,500
Dušan Frič	Lazaretská 4, Bratislava - Staré Mesto	1-AI 5-AI 14-AI 15-AI 3-AII 11-AII 3-AIII 5-AIII	58.26 72.83 46.48 48.61 43.94 74.25 53.51 53.51	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 31/10/2014 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 -	1/4		50,000
Kristína Palková	Račianska 55, Bratislava - Nové Mesto	1 3 10 15 23 25	44.61 54.96 51.91 53.15 53.15 41.64	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 28/02/2015 18/03/1992 - 18/03/1992 -	1/4		33,200
Kristína Palková	Račianska 57, Bratislava - Nové Mesto	1 5 9 14 18 20	44.66 45.36 45.48 52.51 51.72 45.45	18/03/1992 - 18/03/1992 - 31/10/2014 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 30/09/2013	1/4	1,518,307.81	30,800

Kristína Palková	Lazaretská 2, Bratislava - Staré Mesto	2-BI 4-BI 10-BI 19-BI 4-BII 6-BII 11-BII 8-BI	49.05 50.37 49.05 49.58 47.46 47.46 103.68 50.37	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 28/11/2014	1/4		49,500
Kristína Palková	Lazaretská 4, Bratislava - Staré Mesto	1-AI 5-AI 14-AI 15-AI 3-AII 11-AII 3-AIII 5-AIII	58.26 72.83 46.48 48.61 43.94 74.25 53.51 53.51	18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 - 31/10/2014 18/03/1992 - 18/03/1992 - 18/03/1992 - 18/03/1992 -	1/4		50,000
Mária Králiková	Zámočnická 11, Bratislava - Staré Mesto	2 10 11 12	74.64 54.03 58.02 44.63	16/05/2006 - 16/05/2006 - 16/05/2006 - 16/05/2006 - 31/08/2016	18/30 16/05/2006 - 16/12/2016 1/1 17/12/2016 -	195,233.94	25,900
Lubomíra Kozlová	Grösslingová 21, Bratislava - Staré Mesto	1 2 3 5 6 12	43.20 111.56 67.33 111.56 67.33 67.33	23/04/2013 - 21/05/2015 23/04/2013 - 23/04/2013 - 23/04/2013 - 31/12/2013 23/04/2013 - 31/12/2013 23/04/2013 - 31/12/2013	1/4 23/04/2013 - 31/12/2013 As of 01/01/2014: Flat 1: 1/4 Flats 2, 3: 1/2	11,569.58	5,300
Total						6,077,474.29	671,400