



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

THIRD SECTION

CASE OF RIEDEL AND OTHERS v. SLOVAKIA

(Applications nos. 44218/07, 54831/07, 33176/08 and 47150/08)

JUDGMENT

STRASBOURG

10 January 2017

This judgment will become final in the circumstances set out in Article 44 § 2 of the Convention. It may be subject to editorial revision.

In the case of Riedel and Others v. Slovakia,

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

Luis López Guerra, *President*,

Helena Jäderblom,

Helen Keller,

Branko Lubarda,

Pere Pastor Vilanova,

Alena Poláčková,

Georgios A. Serghides, *judges*,

and Stephen Phillips, *Section Registrar*,

Having deliberated in private on 6 December 2016,

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

PROCEDURE

1. The case originated in four applications (nos. 44218/07, 54831/07, 33176/08 and 47150/08) 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 eleven Slovak nationals. The particulars of the applicants and the dates the applications were lodged appear in Appendix 1.

Ms E. Stínová died after lodging her application. By a letter of 5 March 2012 her heirs, Mr P. Stín, Ms E. Salomonová and Mr V. Orlík, expressed the wish to pursue the application in her stead.

2. The applicants in applications nos. 54831/07 and 47150/08 were represented before the Court by Mr R. Procházka, a lawyer practising in Bratislava. The applicants in application no. 44218/07 were represented before the Court by Mr P. Čavojský, and the applicant in application no. 33176/08 by Mr P. Vačok, both lawyers practising in Bratislava. The Government of the Slovak Republic (“the Government”) were represented by their Agent, Ms. M. Pirošíková.

3. The applicants alleged that a rent-control scheme had imposed restrictions on their right to the peaceful enjoyment of their possessions, in breach of Article 1 of Protocol No. 1 to the Convention. The applicants in applications nos. 44218/07 and 33176/08 also maintained that the restrictions imposed on their property had amounted to discriminatory treatment, in breach of Article 14 of the Convention.

4. By decisions of 4 January 2012 the Court declared the applications partly admissible.

5. The applicants and the Government each submitted further written observations (Rule 59 § 1) on the merits and just satisfaction, and replied in writing to each other's observations.

THE FACTS

I. THE CIRCUMSTANCES OF THE CASE

6. The applicants are owners or co-owners of residential buildings which comprise flats that were or still are subject to rent control. They obtained ownership of the flats by various means, such as restitution, donation, inheritance or purchase. Under the relevant legislation they had to accept that the flats were occupied by tenants with a regulated rent and that they could charge them no more than the maximum amount of rent fixed by the State. The relevant legislation precluded them from unilaterally terminating the leases, or selling the flats other than to the tenants ("the rent-control scheme"). The particulars of the flats affected by the rent-control scheme are set out in Appendixes 2-5 (columns A-F).

7. The situation of the applicants is structurally and contextually the same as in *Bittó and Others v. Slovakia* (no. 30255/09, 28 January 2014 (merits) and 7 July 2015 (just satisfaction) and three subsequently decided cases concerning the rent control-scheme in Slovakia (*Krahulec v. Slovakia*, no. 19294/07; *Bukovčanová and Others v. Slovakia*, no. 23785/07; and *Rudolfer v. Slovakia*, no. 38082/07, all adopted on 5 July 2016).

8. It is in dispute between the parties in the present case what amount of rent the applicants would be able to receive by letting their flats under free-market conditions. By extension, that disagreement translates into an argument over the proportion of the market rent that the regulated rent represents.

9. In that connection, the Government submitted an expert's opinion drawn up in 2010 in relation to all four applications ("the Government's expert opinion"), according to which the monthly free-market rent for flats comparable to the applicants' was between 6.13 and 6.48 euro (EUR) per sq. m in the municipality of Bratislava-Staré Mesto and EUR 5.05 and 5.35 per sq. m in the municipality of Bratislava-Nivy. The regulated rent in the flats owned by the applicants ranged between EUR 0.80 and 1.7 per sq. m. According to those calculations therefore, the regulated rent of the flats possessed by the applicants corresponded to some 14-26% of the market rent in 2010. The relevant data are set out in Appendixes 2-5 (columns G-I).

10. The applicants for their part relied on different sources of information to support their contention that the regulated rent was disproportionately low compared with similar flats to which the rent-control

scheme did not apply. The data submitted by them are set out below separately in relation to each application.

A. Application no. 44218/07

11. The applicants maintained that in 2007 the regulated rent ranged between EUR 76 and 84 a month whereas the average free-market rent for comparable flats in a similar location was EUR 956 a month. They submitted an expert's opinion which showed that the difference between the general rental value of the property and the regulated rent they actually received was EUR 88,431.53 for the period between 2000 and 2011.

B. Application no. 54831/07

12. The applicants submitted that in 2010 the regulated rent for their flats amounted to EUR 95 and 105 a month, whereas the monthly free-market rent for comparable flats was EUR 616. They relied on data from the National Association of Real Estate Agencies ("the NAREA"). Depending on the period and the relevant law in force, the regulated rent represented some 5-13% of the market rent for comparable flats in the area. They further submitted that the sum which they and the other co-owners had invested in repairing the building was ten times the income they obtained from letting the flats under the rent-control scheme.

C. Application no. 33176/08

13. In 2008 the applicant was allowed to charge a monthly rent of EUR 40 to 60 for each of his flats. He submitted that the market rent in the same area in 2005 was between EUR 305 and EUR 366 a month for the single-room flat and between EUR 396 and EUR 488 a month for the two-room flats. He relied on information about average rental prices published in the press.

D. Application no. 47150/08

14. The applicants submitted that the regulated rent for their flats ranged between EUR 38.5 and 104 a month in 2010. Relying on data from the NAREA, they maintained that the market rent for comparable flats in the area amounted to approximately EUR 616 a month.

II. RELEVANT DOMESTIC LAW AND PRACTICE

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

16. On 15 September 2011, the Termination and Settlement of Tenancy (Certain Apartments) Act (“Law no. 260/2011”) came into force, which was enacted with a view to ending the rent-control scheme by 31 December 2016. The owners of apartments whose rent had so far been regulated were entitled to give notice of the termination of a tenancy contract by 31 March 2012. The law also entitled landlords to increase the rent by 20% once a year as of 2011.

THE LAW

I. JOINDER OF THE APPLICATIONS

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

II. AS TO THE *LOCUS STANDI* OF MR STÍN, MS SALOMONOVÁ AND MR ORLÍK

18. One of the applicants, Ms Stínová, died after lodging her application (no. 44218/07). Her heirs, Mr Stín, Ms Salomonová and Mr Orlik, informed the Court that they had jointly inherited her share in the building and expressed the wish to pursue the application in her stead.

19. The Government informed the Court that they had no objection to those people pursuing the application in Ms Stínová’s stead.

20. The Court notes that the present application concerns a property right which is, in principle, transferable to the next of kin of a deceased person. In those circumstances, the Court considers that Mr Stín, Ms Salomonová and Mr Orlik, as heirs of Ms Stínová, have standing to continue the present proceedings in her stead (see *Bittó and Others* (merits), cited above, § 74).

III. ALLEGED VIOLATION OF ARTICLE 1 OF PROTOCOL No. 1

21. The applicants complained that their right to the peaceful enjoyment of their possessions had been breached as a result of the adoption and implementation of the rules governing the rent control which 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.”

A. The arguments of the parties

1. The applicants

22. The applicants argued that the rent-control scheme had constituted an interference with their right to the peaceful enjoyment of their property. They stated that the statutory basis regulating the rent-control scheme had lacked consistency, and that the scheme had constituted a disproportionate burden on their ownership rights. They argued that the regulated rent was substantially lower than free-market prices for similar flats in those areas. As a result of the rent-control scheme they had been forced to satisfy the housing needs of other people at their own expense. In that connection, some of the applicants argued that the rent they could charge for their flats under the rent-control scheme had not even covered the costs of their maintenance and that owing to the repeated delays in the deregulation of rents they were in a permanent state of uncertainty.

23. According to the applicants, the legislation that had been passed with a view to eliminate the rent control had not provided any substantial relief because a yearly 20% increase in regulated rent envisaged as of 2011 was not sufficient to close the gap between the regulated and the market rent. Moreover, it did not address the situation that had preceded its enactment.

2. The Government

24. In their submissions in reply, the Government admitted that the rent-control scheme had resulted in a limitation on the use of the applicants' property. However, the measure had been in accordance with the relevant domestic law, which had met the requirements of accessibility and clarity and had been sufficiently foreseeable in its effect. It had also pursued a legitimate aim. As to the requirement of proportionality, they challenged the figures provided by the applicants on the free-market rent for their properties, and provided different figures on the basis of their own expert opinion (see paragraph 9 above).

25. The Government further argued that the situation in the present cases was different from that in *Bittó and Others* (cited above), where the

regulated rent had been 20-26% of the market rent. They maintained that the maximum permitted regulated rent had gradually increased and that the difference between the regulated and the market rent was therefore smaller in the present cases than in *Bittó and Others* (cited above). The Government therefore argued that the difference between the regulated and the market rent distinguished the present cases from *Bittó and Others* (cited above) in that the burden created by the rent-control scheme in relation to the applicants in the present cases had been justified by the legitimate aim it had pursued, namely social policy in the field of housing, and had not been disproportionate.

26. In addition, they submitted that the relationship between the regulated rent and the free-market rent was not the only relevant criterion, and that the Court should assess the case on the basis of the relationship between the rent the applicants had been entitled to and the expenses they had actually incurred for the maintenance of their property. However, they pointed out that the applicants had failed to properly substantiate their claims in that respect.

27. Lastly, the Government pointed out that the situation of legal uncertainty had been resolved by the passing of legislation to eliminate the rent control (see paragraph 16 above).

B. The Court's assessment

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

29. In that case, 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 (*ibid.*, §§ 101-04). The Court has no reason to reach different conclusions on those points in the present cases.

30. In addition, in *Bittó and Others* (cited above) the Court found that in the implementation of 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' right of property, as a result of which there had been a violation of their rights under Article 1 of Protocol No. 1 (*ibid.*, §§ 105-19).

31. The Court observes that the present cases follow the pattern of *Bittó and Others* (cited above) entirely, both structurally and contextually. Nevertheless, the Government sought to distinguish them from that case, arguing that the restrictions placed on the applicants' property rights had

been smaller than in the earlier case, where the regulated rent had been 20-26% of the market rent. They referred to the gradual increases in the regulated rent allowed as of 2011. In addition, they objected that the applicants had failed to substantiate their claims in respect of the expenses actually incurred for the maintenance of their property.

32. The Court notes that it dealt with identical objections in the case of *Bukovčanová and Others* (cited above, § 42). In that case, basing its assessment on the difference between the maximum permissible regulated rent and the market rent of the flats, it observed that under the applicable legislation the level of regulated rent had gradually increased over the years, which had naturally had an impact on the difference between the regulated and the market rent. In that connection, the Court pointed out that the Government had made no submissions in respect of the difference between the regulated rent and the market rent in the period preceding the gradual increases in regulated rent, that they had submitted nothing to rebut the applicants' assertion in that respect, and that there had been no indication that the gradual increases in the regulated rent referred to above may have served as a basis for obtaining compensation for use of the property under the rent-control scheme with any retrospective effect. Consequently, the Court found nothing in *Bukovčanová and Others* (cited above) to justify a different conclusion on its merits than that reached in *Bittó and Others* (cited above).

33. In the absence of any arguments other than those already examined and dismissed in *Bukovčanová and Others* (cited above), and for the same reasons, the Court concludes that the Slovakian authorities failed to strike the requisite fair balance between the general interests of the community and the protection of the applicants' right of property.

There has accordingly been a violation of Article 1 of Protocol No. 1.

IV. ALLEGED VIOLATION OF ARTICLE 14 OF THE CONVENTION TAKEN TOGETHER WITH ARTICLE 1 OF PROTOCOL No. 1

34. In applications nos. 44218/07 and 33176/08 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:

“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.”

35. The Government argued that the applicants' situation was not relevantly similar to that of owners of other dwellings to which the rent-control scheme did not apply. In particular, people like the applicants,

who had had their property restored to them at the beginning of the 1990s, had been aware that the tenants living in the flats would retain the right to use them. Those tenants had had no right to purchase the flats in which they were living, unlike tenants in publicly owned flats. There was therefore a requirement to provide legal protection to those tenants by means of the rent-control scheme.

36. 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 unnecessary to examine the merits of applicants' complaint under these provisions taken together.

V. APPLICATION OF ARTICLE 46 OF THE CONVENTION

37. The Court notes that fourteen applications involving some 200 applicants are currently pending before it concerning matters that are similar to those obtaining in the present cases. As it noted recently in *Bukovčanová and Others* (cited above, §§ 17-18), the implementation of the Court's judgment in *Bittó and Others* (cited above) is still pending.

VI. 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

1. Applications nos. 44218/07, 54831/07 and 47150/08

39. The applicants claimed compensation for the pecuniary and non-pecuniary damage they had suffered as a result of the obligation to let their flats under the rent-control scheme. The applicants' claims in respect of pecuniary and non-pecuniary damage are listed in Appendix 6 (columns B-C).

40. The Government challenged the claims in respect of pecuniary damage as speculative, and in any event excessive, as were the amounts in respect of non-pecuniary damage.

41. The Court summarised the applicable case-law principles and applied them in relation to claims for compensation in respect of pecuniary

and non-pecuniary damage in a context similar to that of the present case in *Bittó and Others v. Slovakia* (just satisfaction), no. 30255/09, §§ 20-29, 7 July 2015).

42. In line with its findings in that case, the Court acknowledges that the applicants must have sustained damage which is to be compensated by an aggregate sum covering all heads of damage.

43. In determining the scope of the award, the Court refers to the criteria further developed in *Bukovčanová and Others* (cited above, § 51). As in those cases, 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.

44. The Court finds it appropriate to award the applicants the aggregate sums covering all heads of damage specified in Appendix 6 (column D), for a total amount of 211,700 euros (EUR), plus any tax that may be chargeable on those amounts.

2. Application no. 33176/08

45. The applicant claimed EUR 10,000, describing the amount as constituting compensation in respect of non-pecuniary damage. In an attachment to his submission of 2 March 2012 he enclosed a calculation of the difference between the regulated and non-regulated rent as EUR 206,356.45, without providing any further details.

46. In their observations in reply, the Government responded to the claim of EUR 10,000 as being a claim in respect of non-pecuniary damage which it considered excessive.

47. According to Rule 60 § 1 of the Rules of Court an applicant who wishes to obtain an award of just satisfaction under Article 41 of the Convention in the event of the Court finding a violation of his or her Convention rights must make a specific claim to that effect. The Court notes that the applicant in the present case presented his claim as concerning non-pecuniary damage and that in doing so he was represented by a lawyer. Conversely, he has not made any claim in respect of pecuniary damage. The Court therefore makes no award in respect of pecuniary damage (Rule 60 § 3).

48. Nevertheless, the Court acknowledges that the applicant must have sustained non-pecuniary damage. Regard being had to the documents in its possession and the above criteria (see paragraph 43 above), the Court considers it appropriate to award the applicant EUR 10,000, plus any tax that may be chargeable, in respect of non-pecuniary damage.

B. Costs and expenses

1. Applications nos. 54831/07 and 47150/08

49. The applicants jointly claimed EUR 2,746.48 (application no. 54831/07) and EUR 1,142.40 (application no. 47150/08) in respect of legal fees incurred before the Court and supported their claims with invoices.

50. The Government contested the claims as excessive.

51. According to the Court's case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these have been actually and necessarily incurred and are reasonable as to quantum (see, for example, *Iatridis v. Greece* [GC], no. 31107/96, § 54, ECHR 1999-II).

52. Regard being had to the documents in its possession and the above criteria, the Court considers it reasonable to award EUR 2,700 jointly to the applicants in application no. 54831/07 and EUR 1,100 jointly to the applicants in application no. 47150/08 in respect of legal fees, plus any tax that may be chargeable to them on those amounts.

2. Applications nos. 44218/07 and 33176/08

53. The applicants in application no. 44218/07 jointly claimed EUR 4,547.34 for legal fees incurred before the Court, calculated with reference to the Ministry of Justice's Regulation No. 655/2004, which governs lawyers' fees. They have not provided an invoice. In addition, they jointly claimed EUR 2,863.63 for the preparation of the expert's opinion (see paragraph 11) and supported that claim by an invoice.

54. The applicant in application no. 33176/08 claimed EUR 250.80 in respect of legal fees incurred in the domestic proceedings and EUR 286.68 in respect of legal fees for his representation in the proceedings before the Court, both calculated with reference to the Ministry of Justice's Regulation No. 655/2004, but did not provide an invoice.

55. The Government contested the claims, with the exception of those mentioned in the preceding paragraph, as excessive.

56. According to Rule 60 § 2 of the Rules of Court an applicant must submit itemised particulars of any claim made under Article 41 of the Convention, together with the relevant supporting documents or vouchers, failing which the Court may reject the claim in whole or in part. In the present cases the applicants have failed to comply with the above requirement because, apart from the costs for preparing the expert's opinion, they did not substantiate their claims with relevant supporting documents. The Court therefore makes no award in respect of that part of their claims.

57. On the other hand, it awards EUR 2,863.63 jointly to the applicants in application no. 44218/07 in respect of the preparation of the expert's opinion, plus any tax that may be chargeable to them on that amount.

C. Default interest

58. 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 Mr P. Stín, Ms E. Salomonová and Mr V. Orlík have standing to continue the present proceedings in Ms E. Stínová's stead;
3. *Holds* that there has been a violation of Article 1 of Protocol No. 1 to the Convention;
4. *Holds* that it is not necessary to examine the applicants' complaint in applications nos. 442158/07 and 33176/08 under Article 14 of the Convention taken in conjunction with Article 1 of Protocol No. 1;
5. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention:
 - (i) EUR 221,700 (two hundred and twenty-one thousand seven hundred euros), plus any tax that may be chargeable, in respect of pecuniary and non-pecuniary damage (paragraphs 44 and 48);
 - (ii) EUR 2,700 (two thousand seven hundred euros) jointly to the applicants in application no. 54831/07; EUR 1,100 (one thousand one hundred euros) jointly to the applicants in application no. 47150/08; and EUR 2,863.63 (two thousand eight hundred and sixty-three euros and sixty-three cents) jointly to the applicants in application no. 44218/07, plus any tax that may be chargeable to the applicants on those amounts, in respect of costs and expenses (paragraphs 52 and 57);
 - (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;

6. *Dismisses* the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 10 January 2017, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Stephen Phillips
Registrar

Luis López Guerra
President

APPENDIX 1**List of applicants****Application no. 44218/07, lodged on 27 September 2007**

1. Mr Rudolf Riedel, who was born in 1954 and lives in Bratislava,
2. Ms Eva Stínová, who was born in 1917 and lived in Bratislava. She was replaced in the proceedings before the Court by:
Mr P. Stín, who was born in 1950 and lives in Bratislava,
Ms E. Salomonová, who was born in 1956 and lives in Bratislava,
Mr V. Orlík, who was born in 1971 and lives in Bratislava.

Application no. 54831/07, lodged on 7 December 2007

1. Ms Marcela Horáková, who was born in 1943 and lives in Bratislava,
2. Mr Milan Nemeček, who was born in 1941 and lives in Bratislava,
3. Ms Vilma Mikušová, who was born in 1968 and lives in Bánovce nad Bebravou.

Application no. 33176/08, lodged on 26 June 2008

1. Mr Jaroslav Sochor, who was born in 1950 and lives in Bratislava.

Application no. 47150/08, lodged on 16 September 2008

1. Mr Pavol Kordoš, who was born in 1935 and lives in Trenčín,
2. Mr Peter Kordoš, who was born in 1939 and lives in Bratislava,
3. Mr Ivan Kordoš, who was born in 1944 and lives in Bratislava,
4. Ms Eva Štrbová, who was born in 1947 and lives in Bratislava,
5. Ms Michaela Černá, who was born in 1985 and lives in Bratislava.

APPENDIX 2**Application no. 44218/07**

| A. Applicants | B. Residential building address | C. Flat no. | D. Area [sq. m] | E. Period of application of rent control | F. Ownership share | G. Monthly regulated rent per m2 in 2010 [€] | H. Monthly market rent per m2 in 2010 [€] | I. Regulated rent/mark et rent ratio in 2010 [%] | |
|---|--|----------------------------|--------------------------------|---|-----------------------------------|---|--|---|------|
| Rudolf Riedel | Puškinova 4, Bratislava - Staré Mesto | 1 | 77 | 11/12/2002 - | 1/2 | 0.99 | 6.32 | 15.7 | |
| | | 2 | 92.50 | 11/12/2002 - | | | 0.91 | 6.13 | 14.8 |
| | | 4 | 98.50 | 11/12/2002 - 30/08/2007 | | | 0.85 | 6.13 | 13.9 |
| Pavol Stín (heir of E. Stínová) | | | 1 | 77 | 23/11/1992 - | 1/4 | 0.99 | 6.32 | 15.7 |
| | | 2 | 92.50 | 23/11/1992 - | | | 0.91 | 6.13 | 14.8 |
| | | 4 | 98.50 | 23/11/1992 - 30/08/2007 | | | 0.85 | 6.13 | 13.9 |
| Eva Salomonová (heir of E. Stínová) | | | 1 | 77 | 23/11/1992 - | 1/8 | 0.99 | 6.32 | 15.7 |
| | | 2 | 92.50 | 23/11/1992 - | | | 0.91 | 6.13 | 14.8 |
| | | 4 | 98.50 | 23/11/1992 - 30/08/2007 | | | 0.85 | 6.13 | 13.9 |
| Vladimír Orlick (heir of E. Stínová) | | | 1 | 77 | 23/11/1992 - | 1/8 | 0.99 | 6.32 | 15.7 |
| | | 2 | 92.50 | 23/11/1992 - | | | 0.91 | 6.13 | 14.8 |
| | | 4 | 98.50 | 23/11/1992 - 30/08/2007 | | | 0.85 | 6.13 | 13.9 |

APPENDIX 3**Application no. 54831/07**

| A. Applicants | B. Residential building address | C. Flat no. | D. Area [sq. m] | E. Period of application of rent control | F. Ownership share | G. Monthly regulated rent per m2 in 2010 [€] | H. Monthly market rent per m2 in 2010 [€] | I. Regulated rent/mark et rent ratio in 2010 [%] |
|--------------------------|--|----------------------------|--------------------------------|---|-----------------------------------|---|--|---|
| Marcela Horáková | Šancová 40, Bratislava-Staré Mesto | 2 | 75 | 02/06/1992 - | 13/60 | 1 | 6.46 | 15.5 |
| | | 3 | 75 | 02/06/1992 - | | 1 | 6.46 | 15.5 |
| Milan Nemeček | | 2 | 75 | 02/06/1992 - | 13/60 | 1 | 6.46 | 15.5 |
| | | 3 | 75 | 02/06/1992 - | | 1 | 6.46 | 15.5 |
| Vilma Mikušová | | 2 | 75 | 28/10/2002 - | 13/180 | 1 | 6.46 | 15.5 |
| | | 3 | 75 | 28/10/2002 - | | 1 | 6.46 | 15.5 |

APPENDIX 4**Application no. 33176/08**

| A. Applicant | B. Residential building address | C. Flat no. | D. Area [sq. m] | E. Period of application of rent control | F. Ownership share | G. Monthly regulated rent per m2 in 2010 [€] | H. Monthly market rent per m2 in 2010 [€] | I. Regulated rent/mark et rent ratio in 2010 [%] |
|-------------------------|--|----------------------------|--------------------------------|---|-----------------------------------|---|--|---|
| Jaroslav Sochor | Dohnányho 18, Bratislava-Nivy | 1 | 39 | 18/03/1992 - 14/05/1997 | 1/2 | 1.04 | 5.35 | 19.4 |
| | | 3 | 56 | 18/03/1992 - 14/05/1997 | | 0.81 | 5.27 | 15.4 |
| | | 7 | 56 | 18/03/1992 - 14/05/1997 | | 0.80 | 5.27 | 15.2 |
| | | 8 | 57 | 18/03/1992 - 14/05/1997 | | 1.05 | 5.27 | 19.9 |
| | | 1 | 39 | 14/05/1997- | 2/3 | 1.04 | 5.35 | 19.4 |
| | | 3 | 56 | 14/05/1997- | | 0.81 | 5.27 | 15.4 |
| | | 7 | 56 | 14/05/1997- | | 0.80 | 5.27 | 15.2 |
| | | 8 | 57 | 14/05/1997- | | 1.05 | 5.27 | 19.9 |

APPENDIX 5

Application no. 47150/08

| A. Applicants | B. Residential building address | C. Flat no. | D. Area [sq. m] | E. Period of application of rent control | F. Ownership share | G. Monthly regulated rent per m2 in 2010 [€] | H. Monthly market rent per m2 in 2010 [€] | I. Regulated rent/mark et rent ratio in 2010 [%] | |
|------------------|---|-------------------|-----------------------|--|-------------------------------------|--|---|--|------|
| Pavol Kordoš | | 1 | 30 | 18/03/1992 - 31/01/2013 | 1/12 (25/11/1991- 30/12/1993) | 1.4 | 6.48 | 21.6 | |
| | | 2 | 23 | 18/03/1992 - 31/12/2009 | | 1.7 | 6.48 | 26.3 | |
| | | 3 | 92 | 18/03/1992 - 31/08/2012 | | 1.1 | 6.32 | 17.4 | |
| | | 4 | 23 | 18/03/1992 - | | 1.7 | 6.48 | 26.3 | |
| | | 5 | 92 | 18/03/1992 - 31/01/2009 | | 1.1 | 6.32 | 17.4 | |
| | | 6 | 23 | 18/03/1992 - | | 8/60 (30/12/1993 -) | 1.7 | 6.48 | 26.3 |
| | | 7 | 61 | 18/03/1992 - 31/03/2011 | | 1.3 | 6.46 | 20.1 | |
| Peter Kordoš | Suché mýto 19, Bratislava - Staré mesto | 1 | 30 | 18/03/1992 - 31/01/2013 | 1/12 (25/11/1991- 30/12/1993) | 1.4 | 6.48 | 21.6 | |
| | | 2 | 23 | 18/03/1992 - 31/12/2009 | | 1.7 | 6.48 | 26.3 | |
| | | 3 | 92 | 18/03/1992 - 31/08/2012 | | 1.1 | 6.32 | 17.4 | |
| | | 4 | 23 | 18/03/1992 - | | 1.7 | 6.48 | 26.3 | |
| | | 5 | 92 | 18/03/1992 - 31/01/2009 | | 1.1 | 6.32 | 17.4 | |
| | | 6 | 23 | 18/03/1992 - | | 8/60 (30/12/1993 -) | 1.7 | 6.48 | 26.3 |
| | | 7 | 61 | 18/03/1992 - 31/03/2011 | | 1.3 | 6.46 | 20.1 | |
| Ivan Kordoš | | 1 | 30 | 18/03/1992 - 31/01/2013 | 1/12 (25/11/1991- 30/12/1993) | 1.4 | 6.48 | 21.6 | |
| | | 2 | 23 | 18/03/1992 - 31/12/2009 | | 1.7 | 6.48 | 26.3 | |
| | | 3 | 92 | 18/03/1992 - 31/08/2012 | | 1.1 | 6.32 | 17.4 | |

| | | | | | | | | |
|----------------|--|---|----|-------------------------|-----------------|-----|------|------|
| | | 4 | 23 | 18/03/1992 - | 8/60 | 1.7 | 6.48 | 26.3 |
| | | 5 | 92 | 18/03/1992 - 31/01/2009 | (30/12/1993 -) | 1.1 | 6.32 | 17.4 |
| | | 6 | 23 | 18/03/1992 - | | 1.7 | 6.48 | 26.3 |
| | | 7 | 61 | 18/03/1992 - 31/03/2011 | | 1.3 | 6.46 | 20.1 |
| Eva Štrbová | | 1 | 30 | 18/03/1992 - 31/01/2013 | 1/4 | 1.4 | 6.48 | 21.6 |
| | | 2 | 23 | 18/03/1992 - 31/12/2009 | (21/11/1991- | 1.7 | 6.48 | 26.3 |
| | | 3 | 92 | 18/03/1992 - 31/08/2012 | 30/12/1993) | 1.1 | 6.32 | 17.4 |
| | | 4 | 23 | 18/03/1992 - | | 1.7 | 6.48 | 26.3 |
| | | 5 | 92 | 18/03/1992 - 31/01/2009 | 18/60 | 1.1 | 6.32 | 17.4 |
| | | 6 | 23 | 18/03/1992 - | (30/12/1993 -) | 1.7 | 6.48 | 26.3 |
| | | 7 | 61 | 18/03/1992 - 31/03/2011 | | 1.3 | 6.46 | 20.1 |
| Michaela Černá | | 1 | 30 | 31/05/2004 - 31/01/2013 | | 1.4 | 6.48 | 21.6 |
| | | 2 | 23 | 31/05/2004 - 31/12/2009 | | 1.7 | 6.48 | 26.3 |
| | | 3 | 92 | 31/05/2004 - 31/08/2012 | 18/60 | 1.1 | 6.32 | 17.4 |
| | | 4 | 23 | 31/05/2004 - | | 1.7 | 6.48 | 26.3 |
| | | 5 | 92 | 31/05/2004 - 31/01/2009 | | 1.1 | 6.32 | 17.4 |
| | | 6 | 23 | 31/05/2004 - | | 1.7 | 6.48 | 26.3 |
| | | 7 | 61 | 31/05/2004 - 31/03/2011 | | 1.3 | 6.46 | 20.1 |

APPENDIX 6**Applicants' claims in respect of pecuniary and non-pecuniary damage and just satisfaction awarded by the Court**

| A. Applicants | B. Pecuniary damage claimed [€] | C. Non-pecuniary damage claimed [€] | D. Just satisfaction awarded [€] |
|--|--|--|---|
| Application no. 44218/07 | | | |
| Rudolf Riedel | 176,863.06 (jointly) | 33,193.92 (jointly) | 26,700 |
| Pavol Stín (heir of E. Stínová) | | | 25,800 |
| Eva Salomonová (heir of E. Stínová) | | | 12,900 |
| Vladimír Orlík (heir of E. Stínová) | | | 12,900 |
| Application no. 54831/07 | | | |
| Marcela Horáková | 97,962 (jointly) | 25,000 | 14,600 |
| Milan Nemeček | | 25,000 | 14,600 |
| Vilma Mikušová | | 5,000 | 2,900 |
| Application no. 33176/08 | | | |
| Jaroslav Sochor | - | 10,000 | 10,000 |
| Application no. 47150/08 | | | |
| Pavol Kordoš | 537,567.50 (jointly) | 25,000 | 16,400 |
| Peter Kordoš | | 25,000 | 16,400 |
| Ivan Kordoš | | 25,000 | 16,400 |
| Eva Štrbová | | 25,000 | 37,600 |
| Michaela Černá | | 5,000 | 14,500 |
| Total | | | 221,700 |