



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

THIRD SECTION

CASE OF BALAN AND OTHERS v. SLOVAKIA

(Applications nos. 51414/11 and 46098/12)

JUDGMENT

STRASBOURG

27 June 2017

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

In the case of Balan 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. 51414/11 and 46098/12) 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 sixty-five applicants. The particulars of the applicants and the dates on which the applications were lodged 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 that rules governing rent control had imposed on their right to peacefully enjoy their possessions.

4. On 13 September 2013 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, who are natural persons, are all Slovak nationals (with the exception of Ms M. Svobodová and Mr. P. Wichner, who are Czech nationals). The Government of the Czech Republic, 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 3 and 4 (columns A - F).

9. The situation of the applicants is structurally and contextually the same as that 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; and *Rudolfer v. Slovakia*, no. 38082/07, 5 July 2016; *Riedel and Others v. Slovakia*, nos. 44218/07, 54831/07, 33176/08, 47150/08; *Mečiar and Others v. Slovakia*, no. 62864/09, 10 January 2017).

II. RELEVANT DOMESTIC LAW

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, 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. Under the Act, 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. ALLEGED VIOLATION OF ARTICLE 1 OF PROTOCOL NO. 1

A. Admissibility

1. *Compliance with the six-month time-limit*

13. 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 – as in the present case – the application of a rent-control scheme), the six-month period starts to run from the end of the situation concerned (see *Bittó and Others v. Slovakia*, no. 30255/09, 28 January 2014 (merits), § 75).

14. According to the information submitted by the applicants, rent control ceased to apply or the respective applicants ceased being owners of the property indicated below more than six months before the lodging of application no. 51414/11 on 8 August 2011 and application no. 46098/12 on 23 July 2012:

- Mr A. Böhm and Ms S. Böhmová, the owners of the residential building at 18 Medená Street in Bratislava, submitted that that building had ceased to be subject to rent control in 2007;

- Mr J. Hlavačka and Ms E. Valentová ceased being co-owners of the residential building at 8 Štefanovičova Street in Bratislava in 2005;

- Ms M. Kubešová ceased being a co-owner of the residential building at 16 Banskobystrická Street in Bratislava in 2002;

- Mr Š. Círan ceased being a co-owner of the residential building at 6 Blumentálska Street in Bratislava in 2004;

- Ms I. Uhlárová ceased being a co-owner of the residential building at 21 Grösslingova Street in Bratislava in 2009;

- Mr K. Červenčík and Ms A. Huttová, the co-owners of the residential building at 10 Sedlárska Street in Bratislava, submitted that rent control had ceased to apply to the flats in that building on 30 April 2008.

15. To the extent that the above-mentioned applicants allege a breach of their rights as a result of rent control in respect of the flats indicated in the preceding paragraph, they have failed to respect the time-limit of six months laid down in Article 35 § 1 of the Convention. 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 (*Bukovčanová and Others v. Slovakia*, no. 23785/07, § 12, 5 July 2016).

2. *Substantially the same application as a matter already examined by the Court*

16. The parents of one of the applicants (Mr Šindelár) lodged application no. 62864/09 concerning the rent control applicable to flats that he owned in two residential buildings. In 2010 and 2014 respectively the applicant inherited ownership shares in those residential buildings and was acknowledged as having standing to pursue the application in his late parents' stead (see *Mečiar and Others v. Slovakia*, no. 62864/09, §§ 12-13, 10 January 2017). In that case, the Court found a violation of Article 1 of Protocol No. 1 to the Convention and awarded Mr Šindelár just satisfaction (*ibid.*, §§ 28, 40).

17. Meanwhile, Mr Šindelár lodged the present application, which concerns the application of rent control to the above-mentioned flats located in the inherited property. The question therefore arises whether his present application is inadmissible under Article 35 § 2 (b) of the Convention, which provides, in so far as relevant, as follows:

“2. The Court shall not deal with any application submitted under Article 34 that ...

(b) is substantially the same as a matter that has already been examined by the Court ... and contains no relevant new information.”

18. The Court reiterates that an application will generally fall foul of this Article where it has the same factual basis as a previous application (see *Kafkaris v. Cyprus* (dec.), no. 9644/09, § 68, 24 June 2011). The claims put forward by Mr Šindelár in the present application concern the same flats and the same periods during which those flats were subject to rent control as submitted by his late parents in application no. 62864/09, which he pursued in their stead. The Court delivered its judgment in that matter and awarded the applicant just satisfaction. The applicant did not put forward “relevant new information” that could have altered the basis on which the previous decision was taken.

19. It follows that the application submitted by Mr M. Šindelár falls within the scope of Article 35 § 2 (b) of the Convention and must be rejected, pursuant to Article 35 § 4.

20. The Court notes that the remaining applications 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.

B. Merits

21. 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.”

22. The applicants argued that the restrictions imposed on the use of their property by the rent-control scheme imposed a disproportionate burden on their ownership rights. 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 with 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.

23. 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 opinions submitted by the applicants and argued that the restrictions imposed on the applicants’ property had not been disproportionate. They commissioned and submitted their own expert opinion, which set out the average monthly market rent for flats comparable to those of the applicants, and an additional expert opinion which challenged the methods used in the expert opinions submitted by 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.

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

25. 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 (*Bittó and Others* (merits), cited above, §§ 101-104).

26. 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 legislation (*Bittó and Others* (merits), cited above, § 113, and *Mečiar and Others v. Slovakia*, cited above, § 26, 10 January 2017). The Court also took into account that the legislation allowing for gradual increases in the regulated rent did not serve as a basis for obtaining compensation for use of the property under the rent-control scheme with any retrospective effect (*Bukovčanová and Others*, cited above, § 42). The Court concluded 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’ 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).

27. The Court observes that the present case follow the pattern of *Bittó and Others* and subsequent rent control cases, both structurally and contextually. The Government voiced the same objections as to the proportionality of the interference 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.

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

28. 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.”

29. 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.

30. 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.

IV. APPLICATION OF ARTICLE 41 OF THE CONVENTION

31. 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

32. 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. For the period between 18 March 1992 and 30 April 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 were 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 14 above). Those sums were then increased by default interest applicable under Slovak law. The individual applicants' claims are set out in Appendices 3 and 4 (column G). For the period starting on 1 May 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.

33. 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.

34. 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.

35. 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.

36. As to the temporal scope of the applicants' claims, the Court observes that under the 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 the difference between the free-market 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).

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

(i) the applicants in application no. 51414/11 the aggregate sums covering all heads of damage specified in respect of each individual applicant in Appendix 3 (column H) - a total amount of EUR 707,600 - plus any tax that may be chargeable on those amounts;

(ii) the applicants in application no. 46098/12 the aggregate sums covering all heads of damage specified in respect of each individual applicant in Appendix 4 (column H) - a total amount of EUR 700,200 - plus any tax that may be chargeable on those amounts.

38. The award in respect of pecuniary and non-pecuniary damage totals EUR 1,407,800, plus any tax that may be chargeable in respect of this amount.

B. Costs and expenses

39. The applicants claimed EUR 71,445.27 (application no. 51414/11) and EUR 104,831.67 (application no. 46098/12) in legal costs in respect of their representation in proceedings before the Court, EUR 37,369.90 (application no. 51414/11) and EUR 37,642.36 (application no. 46098/12) for the preparation of the expert opinions submitted to the Court,

EUR 8,325 in legal costs at the domestic level, and EUR 930 in translation costs.

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

41. Regard being had to the documents in its possession and to its case-law, the Court rejects the claim for costs and expenses in the domestic proceedings (*Bittó and Others* (just satisfaction), cited above, § 35). 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 15,000 jointly in application no. 51414/11 and EUR 39,000 jointly in application no. 46098/12;

(ii) 25% of the total sum claimed in respect of the expert opinions on the rental value of individual flats – namely, EUR 9,342 jointly in application no. 51414/11 and EUR 9,411 jointly in application no. 46098/12. These amounts are to be apportioned pro rata among the applicants according to the respective costs of their individual expert opinions;

(iii) EUR 930 jointly for translation costs.

42. The award in respect of costs and expenses therefore totals EUR 73,683, plus any tax that may be chargeable to the applicants.

C. Default interest

43. 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. *Declares* the application inadmissible to the extent that it concerns the application of the rent-control scheme to the flats indicated in paragraph 14, and in so far as it has been brought by Mr M. Šindelár;
3. *Declares* the remainder of the applications admissible.
4. *Holds* that there has been a violation of Article 1 of Protocol No. 1 to the Convention;

5. *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;
6. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months, the following amounts:
 - (i) EUR 1,407,800 (one million four hundred and seven thousand eight hundred euros), plus any tax that may be chargeable, in respect of pecuniary and non-pecuniary damage (paragraphs 37 and 38);
 - (ii) EUR 73,683 (seventy-three thousand six hundred and eighty-three euros), plus any tax that may be chargeable to the applicants, in respect of costs and expenses (paragraphs 41 and 42);
 - (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;
7. *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**List of applicants****Application no. 51414/11 lodged on 8 August 2011:**

1. Michal BALAN, who was born in 1967 and lives in Bratislava.
2. Jana BALANOVÁ, who was born in 1940 and lives in Bratislava.
3. Allan BÖHM, who was born in 1962 and lives in Bratislava.
4. Soňa BÖHMOVÁ, who was born in 1961 and lives in Bratislava.
5. Emil CINO, who was born in 1955 and lives in Pezinok.
6. Božena CINOVÁ, who was born in 1953 and lives in Pezinok.
7. Alexander ČULEN, who was born in 1967 and lives in Bratislava.
8. Boris ČULEN, who was born in 1974 and lives in Bratislava.
9. Anna ČULENOVÁ, who was born in 1942 and lives in Bratislava.
10. Jozef HLAVAČKA, who was born in 1948 and lives in Bratislava.
11. IBEA, spol. s r.o., a limited liability company with its registered office in Bratislava.
12. Lucia ILLEŠOVÁ, who was born in 1976 and lives in Bratislava.
13. Miroslav KONÔPKA, who was born in 1962 and lives in Bratislava.
14. Mária KUBEŠOVÁ, who was born in 1923 and lives in Bratislava.
15. LINEA, investičné družstvo, an investment co-operative with its registered office in Bratislava.
16. Daniela MOTEŠICKÁ, who was born in 1962 and lives in Bratislava.
17. Jozef MOTEŠICKÝ, who was born in 1972 and lives in Bratislava.
18. ONE WAY Trading, s.r.o., a limited liability company with its registered office in Bratislava.
19. Marek ŠINDELÁR, who was born in 1973 and lives in Bratislava.
20. Eva VALENTOVÁ, who was born in 1946 and lives in Trnava.
21. VETERAN SERVIS spol. s r.o., a limited liability company with its registered office in Bratislava.
22. Pavol ZEMKO, who was born in 1972 and lives in Trnava.

The applicants listed under points 5 and 6 are spouses.

APPENDIX 2**List of applicants****Application no. 46098/12 lodged on 23 July 2012:**

1. Juraj BARTO, who was born in 1963 and lives in Bratislava.
2. BIELA LABUŤ, s.r.o., a limited liability company with its registered office in Lučenec.
3. Karol ČERVENČÍK, who was born in 1955 and lives in Bratislava.
4. Peter CHALUPA, who was born in 1960 and lives in Bratislava.
5. Robert CHRASTINA, who was born in 1971 and lives in Bratislava.
6. Peter CIRAN, who was born in 1971 and lives in Bystrička.
7. Ján CIRAN, who was born in 1955 and lives in Senica.
8. Štefan CIRAN, who was born in 1931 and lives in Bystrička.
9. Oľga CIRANOVÁ, who was born in 1938 and lives in Bystrička.
10. Eva DZURILLOVÁ, who was born in 1961 and lives in Bratislava.
11. Juraj FOLTÍN, who was born in 1968 and lives in Bratislava.
12. Ľubica GÁLIKOVÁ, who was born in 1946 and lives in Bratislava.
13. Branislav GÁLUS, who was born in 1940 and lives in Brezová pod Bradlom.
14. Anna HUTTOVÁ, who was born in 1952 and lives in Bratislava.
15. Robert KELEMEN, who was born in 1964 and lives in Lučenec.
16. Renáta KELEMENOVÁ, who was born in 1966 and lives in Lučenec.
17. Anna KLANICOVÁ, who was born in 1946 and lives in Brezová pod Bradlom.
18. Ľubica KOCANDOVÁ, who was born in 1965 and lives in Pezinok.
19. Zita KOZLOVÁ, who was born in 1980 and lives in Bratislava.
20. Ida UHLÁROVÁ (born Kozlová), who was born in 1978 and lives in Bratislava.
21. Juraj LINDAUER, who was born in 1979 and lives in Bratislava.
22. Erika LINDAUEROVÁ, who was born in 1972 and lives in Bratislava.
23. Milica MICHALOVÁ, who was born in 1954 and lives in Bratislava.
24. Peter MINÁRIK, who was born in 1948 and lives in Martin.
25. Milan MINÁRIK, who was born in 1952 and lives in Žilina.
26. MINÁRIK, spol. s.r.o., a limited liability company with its registered office in Žilina.
27. Elena MINÁRIKOVÁ, who was born in 1953 and lives in Žilina.
28. Kamila MINÁRIKOVÁ, who was born in 1942 and lives in Martin.
29. Darina MORAVITZOVÁ, who was born in 1953 and lives in Bratislava.
30. Zuzana NEMČÍKOVÁ, who was born in 1955 and lives in Bratislava.
31. Dušan NOSKO, who was born in 1967 and lives in Senica.
32. Ivan NOSKO, who was born in 1964 and lives in Senica nad Myjavou.

33. Martin PETRUŠ, who was born in 1975 and lives in Bratislava.
34. Katarína PLEVÁKOVÁ, who was born in 1958 and lives in Bratislava.
35. RR Consulting, s.r.o., a limited liability company with its registered office in Bratislava.
36. Andrej SCHOLTZ, who was born in 1977 and lives in Bratislava.
37. Igor SCHOLTZ, who was born in 1928 and lives in Bratislava.
38. Viera SCHOLTZOVÁ, who was born in 1949 and lives in Bratislava.
39. Elena ŠŤASTNÁ, who was born in 1961 and lives in Bratislava.
40. Mária STRACOVÁ, who was born in 1977 and lives in Bratislava.
41. Marcela SVOBODOVÁ, who was born in 1940 and lives in Praha.
42. Rastislav UHLÁR, who was born in 1978 and lives in Bratislava.
43. Peter WICHNER, who was born in 1951 and lives in Praha.

The applicants nos. 15 and 16, 24 and 28, 25 and 27, 37 and 38 are spouses.

APPENDIX 3**Application no. 51414/11**

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 [€]
Michal Balan	Obchodná 19, Bratislava - Staré Mesto	2 3 1	61 178 40	10/10/2003 - 28/02/2015 10/10/2003 - 10/10/2003 - 20/12/2012	1/6	74,584.78	10,600
Lucia Illešová	Obchodná 19, Bratislava - Staré Mesto	2 3 1	61 178 40	10/10/2003 - 28/02/2015 10/10/2003 - 10/10/2003 - 20/12/2012	1/6	74,584.78	10,600
Jana Balanová	Obchodná 19, Bratislava - Staré Mesto	2 3 1	61 178 40	23/03/1993 - 28/02/2015 23/03/1993 - 23/03/1993 - 20/12/2012	1/3	364,712	38,500
ONE WAY Trading, s.r.o.	Obchodná 19, Bratislava - Staré Mesto	2 3 1	61 178 40	23/08/1993 - 28/02/2015 23/08/1993 - 23/08/1993 - 20/12/2012	1/3	356,596.69	38,500
Anna Čulenová	Jedlíkova 4,	2	73.04	19/08/2002 -	24/96	388,885.25	47,400

	Bratislava - Staré Mesto	3 4 6 7 8 9 10 1 5	58.07 73.23 92.93 73.86 92.33 72.92 23.24 27.75 93.20	19/08/2002 - 19/08/2002 - 19/08/2002 - 19/08/2002 - 12/02/2016 19/08/2002 - 19/08/2002 - 30/12/2014 19/08/2002 - 19/08/2002 - 07/06/2012 19/08/2002 - 01/08/2012	19/08/2002 - 27/01/2009 96/288 28/01/2009 - 31/01/2013 240/288 01/02/2013 - 26/02/2013 96/288 27/02/2013 -		
Alexander Čulen	Jedlíkova 4, Bratislava - Staré Mesto	2 3 4 6 7 8 9 10 1 5	73.04 58.07 73.23 92.93 73.86 92.33 72.92 23.24 27.75 93.20	28/01/2009 - 28/01/2009 - 28/01/2009 - 28/01/2009 - 28/01/2009 - 12/02/2016 28/01/2009 - 28/01/2009 - 30/12/2014 28/01/2009 - 28/01/2009 - 07/06/2012 28/01/2009 - 01/08/2012	24/288 28/01/2009 - 26/02/2013 96/288 27/02/2013 -	50,938.20	13,600
Boris Čulen	Jedlíkova 4, Bratislava - Staré Mesto	2 3 4 6 7 8 9 10 1	73.04 58.07 73.23 92.93 73.86 92.33 72.92 23.24 27.75	28/01/2009 - 28/01/2009 - 28/01/2009 - 28/01/2009 - 28/01/2009 - 12/02/2016 28/01/2009 - 28/01/2009 - 30/12/2014 28/01/2009 - 28/01/2009 - 07/06/2012	24/288 28/01/2009 - 26/02/2013 96/288 27/02/2013 -	50,938.20	13,600

		5	93.20	28/01/2009 - 01/08/2012			
Konôpka Miroslav	Okánivkova 1, Bratislava - Staré Mesto	1	89.1	25/03/2002 - 07/06/2012	1/2	305,692.39	38,400
		2	72.8	25/03/2002 - 07/06/2012			
		3	79.5	25/03/2002 - 07/06/2012			
		4	21.9	25/03/2002 - 07/06/2012			
		5	72.7	25/03/2002 - 07/06/2012			
		6	75.9	25/03/2002 - 07/06/2012			
Emil Cino, Božena Cinová	Cajlanská 11, Pezinok	4	74.6	27/11/2002 - 31/12/2014	1/2* 27/11/2002-10/09/2003 1/1* 11/09/2003 -	86,520.33*	13,800*
Pavol Zemko	Kalinčiakova 1, Trnava	4	50.35	05/12/2001 - 30/09/2016	1/2	119,504.86	20,900
		5	73.75	05/12/2001 - 31/05/2012			
		7	73.75	05/12/2001 - 15/10/2012			

Jozef Motešický	Medená 35, Bratislava - Staré Mesto	1	87.68	19/03/2010 - 18/12/2012	10/96	47,879.43	6,200
		2	104.49	19/03/2010 - 18/12/2012			
		3	74.53	19/03/2010 - 18/12/2012			
		4	74.47	19/03/2010 - 18/12/2012			
		6	98.59	19/03/2010 - 18/12/2012			
		7	26.57	19/03/2010 - 18/12/2012			
		8	26.57	19/03/2010 - 18/12/2012			
		9	98.01	19/03/2010 - 18/12/2012			
		10	97.71	19/03/2010 - 18/12/2012			
		11	74.75	19/03/2010 - 18/12/2012			
		12	98.01	19/03/2010 - 18/12/2012			
		13	26.84	19/03/2010 - 18/12/2012			
		15	26.78	19/03/2010 - 18/12/2012			
		16	74.75	19/03/2010 - 18/12/2012			
		18	118.94	19/03/2010 - 18/12/2012			
		19	26.78	19/03/2010 - 18/12/2012			
		20	74.75	19/03/2010 - 18/12/2012			
		21	98.01	19/03/2010 - 18/12/2012			
		5	98.68	19/03/2010 - 30/09/2012			
		17	76.61	19/03/2010 - 30/09/2012			
		14	98.26	19/03/2010 - 31/10/2012			
Daniela Motešická	Medená 35, Bratislava - Staré Mesto	1	87.68	30/06/2010 - 01/11/2015	10/96	54,141.29	13,100
		2	104.49	30/06/2010 - 18/12/2012			
		3	74.53	30/06/2010 - 18/12/2012			
		4	74.47	30/06/2010 - 18/12/2012			
		6	98.59	30/06/2010 - 18/12/2012			
		7	26.57	30/06/2010 - 18/12/2012			
		8	26.57	30/06/2010 - 18/12/2012			

		9	98.01	30/06/2010 - 18/12/2012	Flat no. 1 : 1/1 (19/12/2012 - 01/11/2015) Flat no. 19 : 1/1 (19/12/2012 -)		
		10	97.71	30/06/2010 - 18/12/2012			
		11	74.75	30/06/2010 - 18/12/2012			
		12	98.01	30/06/2010 - 18/12/2012			
		13	26.84	30/06/2010 - 18/12/2012			
		15	26.78	30/06/2010 - 18/12/2012			
		16	74.75	30/06/2010 - 18/12/2012			
		18	118.94	30/06/2010 - 18/12/2012			
		19	26.78	30/06/2010 -			
		20	74.75	30/06/2010 - 18/12/2012			
		21	98.01	30/06/2010 - 18/12/2012			
		5	98.68	30/06/2010 - 30/09/2012			
		17	76.61	30/06/2010 - 30/09/2012			
		14	98.26	30/06/2010 - 31/10/2012			
IBEА, spol. s.r.o.	Obchodná 4, Bratislava - Staré Mesto	3	120.39	23/01/1996 -	1/1	1,971,383.79	217,500
		4	89.40	23/01/1996 - 30/06/2016			
		7	141.85	23/01/1996 -			
		2	89.02	23/01/1996 - 31/07/2012			
		5	120.64	23/01/1996 - 31/03/2011			
		6	89.02	23/01/1996 - 30/06/2012			
LINEA, investičné družstvo	Rajská 14, Bratislava - Staré Mesto	1	69.17	25/08/1999 -	1/1	798,628.45	91,300
		3	69.41	25/08/1999 -			
		7	31.62	25/08/1999 -			
		4	71.97	30/04/2013 -			
		6	71.97	31/12/2013 -			

VETERAN SERVIS spol. s.r.o.	Kuzmányho 4, Bratislava - Staré Mesto	3	92.32	18/11/1992 - 30/06/2011	1/1	1,506,468.71	133,600
		6	140.86	18/11/1992 - 09/12/2011			
		7	144.62	18/11/1992 - 10/10/2011			
Total						6,392,201.75	707,600

* joint marital ownership

APPENDIX 4**Application no. 46098/12**

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 [€]
Karol Červeník	Nedbalova 11, Bratislava - Staré Mesto	1	131.19	18/03/1992 -	1/2	276,137.42	29,300
Anna Huttová	Nedbalova 11, Bratislava - Staré Mesto	1	131.19	18/03/1992 -	1/2	276,137.42	29,300
Robert Kelemen, Renáta Kelemenová	Račianska 53, Bratislava - Nové Mesto	15 4 16 8	67.93 65.40 68.13 67.30	31/08/2011 - 19/11/2012 31/08/2011 - 31/08/2011 - 26/10/2016 18/10/2012 -	1/1	36,209.07*	18,700*
BIELA LABUŤ s.r.o.	Račianska 53, Bratislava - Nové Mesto	8 11	67.30 67.93	22/11/2011 - 17/10/2012 08/12/2011 - 26/01/2012	1/1	5,190.80	2,600
Juraj Barto	Makovického 10, Žilina	3 4 7 10	87.32 74.56 74.56 98.31	18/03/1992 - 31/12/2012 18/03/1992 - 31/08/2012 18/03/1992 - 31/08/2013 18/03/1992 - 30/04/2013	1/6 18/03/1992 - 28/10/2003 1/4	137,690.50	24,700

					29/10/2003 -		
Elena Štastná	Makovického 10, Žilina	3 4 7 10	87.32 74.56 74.56 98.31	18/03/1992 - 31/12/2012 18/03/1992 - 31/08/2012 18/03/1992 - 31/08/2013 18/03/1992 - 30/04/2013	1/6 18/03/1992 - 28/10/2003 1/4 29/10/2003 -	137,690.50	24,700
Peter Wichner	Makovického 10, Žilina	3 4 7 10	87.32 74.56 74.56 98.31	14/09/1999 - 31/12/2012 14/09/1999 - 31/08/2012 14/09/1999 - 31/08/2013 14/09/1999 - 30/04/2013	1/4 14/09/1999- 05/05/2002 1/2 06/05/2002 -	175,765,86	35,600
Milan Minárik, Elena Mináriková	Makovického 8, Žilina	5 6	96.39 96.39	01/08/1996 - 01/08/1996 - 02/09/2013	3/8	123,758.85*	23,500*
Peter Minárik, Kamila Mináriková	Makovického 8, Žilina	5 6	96.39 96.39	01/08/1996 - 01/08/1996 - 02/09/2013	3/8	123,758.85*	23,500*
MINÁRIK, spol. s.r.o.	Makovického 8, Žilina	5 6	96.39 96.39	01/08/1996 - 01/08/1996 - 02/09/2013	1/4	82,505.94	15,700
Katarína Pleváková	Červeňova 3, Bratislava - Staré Mesto	2	97.64	10/08/2011 - 14/03/2016	1/4	9,183.62	2,300
Eva Dzurillová	Červeňova 3, Bratislava - Staré Mesto	2	97.64	10/08/2011 - 14/03/2016	1/4	9,183.62	2,300
Erika Lindauerová	Červeňova 3, Bratislava - Staré Mesto	2	97.64	10/08/2011 - 14/03/2016	1/4	9,183.62	2,300
Juraj Lindauer	Červeňova 3,	2	97.64	10/08/2011 - 14/03/2016	1/4	9,183.62	2,300

	Bratislava - Staré Mesto						
Ciran Štefan	Mariánska 2, Bratislava - Staré Mesto	1	60.76	18/03/1992 - 05/10/2015	5000/48000 02/03/1992 - 03/11/1993	713,856.18	73,300
		8	130.6	18/03/1992 - 05/10/2015	8158/48000 04/11/1993 - 23/04/1994		
		9	93.14	18/03/1992 - 05/10/2015	9474/48000 24/04/1994 - 06/09/1999		
		12	115.64	18/03/1992 - 05/10/2015	10373/48000 07/09/1999 -		
Branislav Gálus	Mariánska 2, Bratislava - Staré Mesto	1	60.76	18/03/1992 - 05/10/2015	5000/48000 02/03/1992 - 03/11/1993	207,152.13	21,000
		8	130.6	18/03/1992 - 05/10/2015	6316/48000 04/11/1993 -		
		9	93.14	18/03/1992 - 05/10/2015			
		12	115.64	18/03/1992 - 05/10/2015			
Oľga Ciranová	Mariánska 2, Bratislava - Staré Mesto	1	60.76	01/08/2000 - 05/10/2015	1263/48000 01/08/2000 - 14/08/2000	133,482.58	13,400
		8	130.6	01/08/2000 - 05/10/2015	3789/48000 15/08/2000 - 24/10/2000		
		9	93.14	01/08/2000 - 05/10/2015	6315/48000 25/10/2000 - 10/09/2002		
		12	115.64	01/08/2000 - 05/10/2015	7578/48000 11/09/2002 -		
Darina Moravitzová	Mariánska 2, Bratislava - Staré Mesto	1	60.76	31/05/1999 - 05/10/2015	1263/48000	25,796.31	3,200
		8	130.6	31/05/1999 - 05/10/2015			
		9	93.14	31/05/1999 - 05/10/2015			
		12	115.64	31/05/1999 - 05/10/2015			
Anna Klanicová	Mariánska 2, Bratislava - Staré Mesto	1	60.76	24/02/1994 - 05/10/2015	3158/48000	96,459.05	10,300
		8	130.6	24/02/1994 - 05/10/2015			
		9	93.14	24/02/1994 - 05/10/2015			
		12	115.64	24/02/1994 - 05/10/2015			

Ján Círan	Mariánska 2, Bratislava - Staré Mesto	1	60.76	09/08/1994 - 05/10/2015	3158/48000	96,459.05	10,300
		8	130.6	09/08/1994 - 05/10/2015			
		9	93.14	09/08/1994 - 05/10/2015			
		12	115.64	09/08/1994 - 05/10/2015			
Ľubica Gáliková	Mariánska 2, Bratislava - Staré Mesto	1	60.76	04/12/2009 - 05/10/2015	3158/48000	11,538.04	3,000
		8	130.6	04/12/2009 - 05/10/2015			
		9	93.14	04/12/2009 - 05/10/2015			
		12	115.64	04/12/2009 - 05/10/2015			
Ivan Nosko	Mariánska 2, Bratislava - Staré Mesto	1	60.76	03/07/2003 - 05/10/2015	2105/48000	30,383.07	4,000
		8	130.6	03/07/2003 - 05/10/2015			
		9	93.14	03/07/2003 - 05/10/2015			
		12	115.64	03/07/2003 - 05/10/2015			
Dušan Nosko	Mariánska 2, Bratislava - Staré Mesto	1	60.76	03/07/2003 - 05/10/2015	2105/48000	30,383.07	4,000
		8	130.6	03/07/2003 - 05/10/2015			
		9	93.14	03/07/2003 - 05/10/2015			
		12	115.64	03/07/2003 - 05/10/2015			
Ľubica Kocandová	Mariánska 2, Bratislava - Staré Mesto	1	60.76	03/07/2003 - 05/10/2015	2106/48000	30,397.49	4,000
		8	130.6	03/07/2003 - 05/10/2015			
		9	93.14	03/07/2003 - 05/10/2015			
		12	115.64	03/07/2003 - 05/10/2015			
Milica Michalová	Mariánska 2, Bratislava - Staré Mesto	1	60.76	04/12/2009 - 05/10/2015	3158/48000	11,538.04	3,000
		8	130.6	04/12/2009 - 05/10/2015			
		9	93.14	04/12/2009 - 05/10/2015			
		12	115.64	04/12/2009 - 05/10/2015			

Mária Stracová	Grösslingová 21, Bratislava - Staré Mesto	1	43.20	18/03/1992 - 23/09/2012	1/3	1,203,982.47	116,400
		2	111.56	18/03/1992 - 23/09/2012	03/03/1992 - 12/06/1994		
		3	67.33	18/03/1992 - 23/09/2012	1/1		
		5	111.56	18/03/1992 - 23/09/2012	13/06/1994 - 25/05/1995		
		6	67.33	18/03/1992 - 23/09/2012	2/3		
		12	67.33	18/03/1992 - 23/09/2012	26/05/1995 - 04/04/2002		
		4	83.49	18/03/1992 - 03/05/2012	1/2 05/04/2002 - 23/09/2012		
Zita Kozlová	Grösslingová 21, Bratislava - Staré Mesto	1	43.20	26/05/1995 - 21/05/2015	1/6 26/05/1995 - 04/04/2002	381,401.28	43,800
		2	111.56	26/05/1995 -	1/4		
		3	67.33	26/05/1995 -	05/04/2002 - 06/04/2009		
		4	83.49	26/05/1995 - 03/05/2012	1/2		
		5	111.56	26/05/1995 - 31/12/2013	07/04/2009 - 01/06/2009		
		6	67.33	26/05/1995 - 31/12/2013	1/4		
		12	67.33	26/05/1995 - 31/12/2013	02/06/2009 - 31/12/2013 1/2 (flats 2,3), 1/4 (flat 1) 01/01/2014 -		
Rastislav Uhlár	Grösslingová 21, Bratislava - Staré Mesto	1	43.20	02/06/2009 - 22/04/2013	1/4	55,970.91	9,900
		2	111.56	02/06/2009 - 22/04/2013			
		3	67.33	02/06/2009 - 22/04/2013			
		5	111.56	02/06/2009 - 22/04/2013			
		6	67.33	02/06/2009 - 22/04/2013			
		12	67.33	02/06/2009 - 22/04/2013			
		4	83.49	02/06/2009 - 03/05/2012			
Peter Ciran	Blumentálska 6, Bratislava - Staré Mesto	6	111.16	28/09/2004 - 08/10/2014	18/30	200,395.84	24,800
		7	110.30	28/09/2004 - 30/09/2014			
Igor Scholtz	Panenská 36, Bratislava - Staré Mesto	2	85.25	01/02/1993 - 12/02/1996	144/1800	70,270	2,400
		4	69.68	01/02/1993 - 12/02/1996			

		6	85.25	01/02/1993 - 12/02/1996			
		7	67.59	01/02/1993 - 12/02/1996			
		8	85.25	01/02/1993 - 12/02/1996			
		9	67.59	01/02/1993 - 12/02/1996			
		11	31.49	01/02/1993 - 12/02/1996			
		13	38.81	01/02/1993 - 12/02/1996			
Igor Scholtz Viera Scholtzová	Panenská 36, Bratislava - Staré Mesto	2	85.25	13/02/1996 - 12/03/2012	144/1800*	121,609.48*	6,200*
		4	69.68	13/02/1996 - 12/03/2012	13/02/1996 - 19/05/2003		
		6	85.25	13/02/1996 - 12/03/2012			
		7	67.59	13/02/1996 - 12/03/2012			
		8	85.25	13/02/1996 - 12/03/2012			
		9	67.59	13/02/1996 - 12/03/2012	12/1800*		
		11	31.49	13/02/1996 - 12/03/2012	20/05/2003 - 12/03/2012		
		13	38.81	13/02/1996 - 12/03/2012			
Viera Scholtzová	Panenská 36, Bratislava - Staré Mesto	2	85.25	29/01/2002 -	144/1800	121,507.91	10,600
		4	69.68	29/01/2002 -	29/01/2002 -		
		7	67.59	29/01/2002 -	04/02/2010		
		9	67.59	29/01/2002 -			
		13	38.81	29/01/2002 - 31/12/2014			
		6	85.25	29/01/2002 - 04/05/2013	166/1800		
		8	85.25	29/01/2002 - 24/01/2013	05/02/2010 -		
		11	31.49	29/01/2002 - 21/07/2012			
Andrej Scholtz	Panenská 36, Bratislava - Staré Mesto	2	85.25	20/05/2003 -	102/1800	110,026.89	9,300
		4	69.68	20/05/2003 -	20/05/2003 -		
		7	67.59	20/05/2003 -	06/06/2004		
		9	67.59	20/05/2003 -			
		13	38.81	20/05/2003 - 31/12/2014			
		6	85.25	20/05/2003 - 04/05/2013	146/1800		
					07/06/2004 -		

		8 11	85.25 31.49	20/05/2003 - 24/01/2013 20/05/2003 - 21/07/2012	12/03/2012 158/1800 13/03/2012 -		
Juraj Foltín	Panenská 36, Bratislava - Staré Mesto	2 4 7 9 13 6 8 11	85.25 69.68 67.59 67.59 38.81 85.25 85.25 31.49	01/02/1993 - 01/02/1993 - 01/02/1993 - 01/02/1993 - 01/02/1993 - 31/12/2014 01/02/1993 - 04/05/2013 01/02/1993 - 24/01/2013 01/02/1993 - 21/07/2012	132/1800	298,766.10	15,700
Zuzana Nemčíková	Panenská 36, Bratislava - Staré Mesto	2 4 7 9 13 6 8 11	85.25 69.68 67.59 67.59 38.81 85.25 85.25 31.49	01/02/1993 - 01/02/1993 - 01/02/1993 - 01/02/1993 - 01/02/1993 - 31/12/2014 01/02/1993 - 04/05/2013 01/02/1993 - 24/01/2013 01/02/1993 - 21/07/2012	128/1800	289,712.57	15,300

Marcela Svobodová	Panenská 36, Bratislava - Staré Mesto	2	85.25	01/02/1993 -	32/1800	72,428.07	3,900
		4	69.68	01/02/1993 -			
		7	67.59	01/02/1993 -			
		9	67.59	01/02/1993 -			
		13	38.81	01/02/1993 - 31/12/2014			
		6	85.25	01/02/1993 - 04/05/2013			
		8	85.25	01/02/1993 - 24/01/2013			
		11	31.49	01/02/1993 - 21/07/2012			
Robert Chrastina	Panenská 36, Bratislava - Staré Mesto	2	85.25	27/07/1995 -	144/1800	273,480.54	15,600
		4	69.68	27/07/1995 -			
		7	67.59	27/07/1995 -			
		9	67.59	27/07/1995 -			
		13	38.81	27/07/1995 - 31/12/2014			
		6	85.25	27/07/1995 - 04/05/2013			
		8	85.25	27/07/1995 - 24/01/2013			
		11	31.49	27/07/1995 - 21/07/2012			
Martin Petruš	Panenská 36, Bratislava - Staré Mesto	2	85.25	10/08/1994 -	84/1800	177,789.83	9,600
		4	69.68	10/08/1994 -			
		7	67.59	10/08/1994 -			
		9	67.59	10/08/1994 -			
		13	38.81	10/08/1994 - 31/12/2014			
		6	85.25	10/08/1994 - 04/05/2013			
		8	85.25	10/08/1994 - 24/01/2013			
		11	31.49	10/08/1994 - 21/07/2012			

Peter Chalupa	Panenská 36, Bratislava - Staré Mesto	2	85.25	21/07/2010 -	66/1800	7,037.05	1,700
		4	69.68	21/07/2010 -			
		7	67.59	21/07/2010 -			
		9	67.59	21/07/2010 -			
		13	38.81	21/07/2010 - 31/12/2014			
		6	85.25	21/07/2010 - 04/05/2013			
		8	85.25	21/07/2010 - 24/01/2013			
		11	31.49	21/07/2010 - 21/07/2012			
RR Consulting, s.r.o.	2205 Špitálska 2/A, Bratislava - Staré Mesto	4	77.5	24/06/2005 - 09/05/2013	1/1	208,744.27	28,700
		9	83.72	24/06/2005 -			
Total						6,702,702.02	700,200

* joint marital ownership