



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

THIRD SECTION

CASE OF MATUSCHKA AND OTHERS v. SLOVAKIA

(Applications nos. 33076/10 and 14383/11)

JUDGMENT

STRASBOURG

27 June 2017

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

In the case of Matuschka 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. 33076/10 and 14383/11) against the Slovak Republic lodged on 31 May 2010 and 9 February 2011 respectively with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by a total of thirty-seven applicants. 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 20 December 2011 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 Mr G. Mayer, who is a German national. The German 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 for 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 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 (see *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

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. 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. PRELIMINARY ISSUES

A. 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.

B. *Locus standi* of Ms S. Andrássová and Ms Ch. Andrássová

13. By a letter of 24 April 2014 the applicants' representative informed the Court that one of the applicants, Ms S. Andrássová, had died. The letter did not contain the date of her death. The representative furthermore informed the Court that her daughter, Ms Ch. Andrássová, wished to pursue the application in her mother's stead.

14. On 14 December 2016 the Court received the applicants' claims for just satisfaction, together with supporting documents – including an inheritance certificate dated 30 March 2011 giving the date of Ms S. Andrássová's death as 6 April 2010 (that is to say before the lodging of the application in question on 31 May 2010). Before her death, on 3 March 2010, she had authorised the representative to represent her in the proceedings before the Court. The representative provided no explanation linked to the urgency of the matter or otherwise for lodging the application after Ms S. Andrássová's death.

15. At the outset, the Court reiterates that under Rule 47 § 7 of the Rules of Court the applicants are obliged to inform the Court of any change of circumstances relevant to the application and to provide the Court with complete relevant information. A failure to comply with these requirements may result in the Court's declaring inadmissible any application on account of an abuse of the right of individual application within the meaning of Article 35 § 3 (a) of the Convention (see *Gross v. Switzerland* [GC], no. 67810/10, § 28, ECHR 2014, and *Buzinger v. Slovakia* (dec.), no. 32133/10, § 17, 16 June 2015). In the present case, however, there is no need to determine whether the failure to inform the Court of the exact date of Ms S. Andrássová's death amounted to an abuse of the right of individual application, because this part of the application is in any event inadmissible for the following reasons.

16. The Court notes that an application cannot be brought in the name of a deceased person, since a deceased person is unable, even through a representative, to lodge an application with the Court (see *Kaya and Polat v. Turkey* (dec.), nos. 2794/05 and 40345/05, 21 October 2008). The Court

therefore considers that Ms S. Andrássová could have not validly brought an application before the Court and that the application lodged on her behalf must be rejected as incompatible *ratione personae* with the provisions of the Convention (see *Aizpurua Ortiz and Others v. Spain*, no. 42430/05, § 30, 2 February 2010).

17. As to the *locus standi* of Ms S. Andrássová's daughter, Ms Ch. Andrássová (who has expressed her intention to pursue the application in her mother's stead), the Court notes that it is not possible to pursue an application which was not validly brought before the Court. The present situation is to be distinguished from cases where the application was first validly introduced by an applicant who subsequently died during the proceedings before the Court and his or her heirs were then allowed to pursue that application (see *Bittó and Others*, cited above, §§ 73-74, 28 January 2014). In the present case, no valid application was lodged by the original applicant; neither did Ms Ch. Andrássová lodge an application on her or her mother's behalf. In such circumstances the Court cannot accept her standing to continue the present proceedings in her mother's stead and must declare this part of the application incompatible *ratione personae* with the provisions of the Convention. Accordingly, the part of the application regarding the claims of Ms S. Andrássová must be rejected under Article 35 §§ 3 and 4 of the Convention. This conclusion is without prejudice to Ms Ch. Andrássová's standing to pursue her Convention rights and freedoms by lodging an application of her own.

C. *Locus standi* of Mr J. Soročín and Ms K. Šináková

18. The applicants' representative also informed the Court that further applicants, Ms E. Soročinová and Mr F. Kruml, had died on 8 November 2012 and 17 March 2017, respectively. The son and heir of the former, Mr J. Soročín, expressed the wish to pursue the application in his mother's stead while the daughter of the latter, Ms K. Šináková, expressed a similar wish as far as the application had been introduced by her father.

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

20. The Court notes that Ms E. Soročinová and Mr F. Kruml died after having lodged the application in question. As the present application concerns a property right which is, in principle, transferable to the next of kin of a deceased person, the Court considers that Mr J. Soročín has standing to continue the present proceedings in Ms E. Soročinová's stead. As to Ms K. Šináková, 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. F. Kruml. In these circumstances, the

Court is prepared to accept that she has standing to continue the present proceedings in his stead (see *Bittó and Others* (merits), cited above, § 74).

II. ADMISSIBILITY

A. Compliance with the six-month time-limit

21. According to the information submitted by the applicants, rent control ceased to apply in respect of certain flats, and certain applicants ceased being owners of some of the flats more than six months before the lodging of the present applications on 31 May 2010 and 9 February 2011, respectively. Those applicants, the property concerned and the relevant dates are specified in Appendices 3 and 4.

22. Those applicants argued that their situation constituted a continuing situation, despite the fact that rent control no longer applied to the property in question or that they were no longer owners of that property, because they had never 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.

23. 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.

24. 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 in respect of which no domestic remedy is available (such as the application of the rent-control scheme in the present case, where the six-month period starts to run from the end of the situation concerned – see *Bittó and Others* (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).

25. Applying the above-mentioned criteria to the present case, 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 the application of the rent-control scheme in respect of the flats listed 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. It follows that this part of the application was introduced out of time and must be rejected, in accordance with Article 35 §§ 1 and 4 of the Convention (see *Bukovčanová and Others*, cited above).

B. Alleged violation of Article 13 of the Convention, taken together with Article 1 of Protocol No. 1

26. The applicants complained that they had no effective remedy available as regards their complaint under Article 1 of Protocol No. 1. They alleged a breach of Article 13 of the Convention, which provides as follows:

“Everyone whose rights and freedoms as set forth in [the] Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.”

27. The Court has already dealt with this issue in *Krahulec v. Slovakia* ((dec.) no. 19294/07, 7 June 2011). Just as in that case, it has not been disputed by the parties in the present case that the breach of Article 1 of Protocol No. 1 stemmed from the legal framework governing the rent-control scheme in Slovakia. The Court reiterates that Article 13 cannot be interpreted as requiring a remedy against the state of domestic law (see *Krahulec v. Slovakia*, (dec.), cited above, with further references). It follows that this complaint is manifestly ill-founded and must be rejected, in accordance with Article 35 §§ 3 and 4 of the Convention.

28. 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.

III. MERITS

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

29. The applicants complained that their right to the peaceful enjoyment of their possessions had been breached as a result of the implementation of the 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.”

30. The applicants argued that the restrictions applied to 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 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.

31. 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 prescribed the elimination of all rent control by the end of 2016.

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

33. 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).

34. As to the requirement of proportionality, the Court noted in *Bittó and Others* and 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*, cited above, § 26, 10 January 2017). In *Bittó and Others*, 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 (see *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).

35. 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

36. The applicants maintained that the restrictions imposed under 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.”

37. 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.

38. 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

39. 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

40. 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 31 December 2016, 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 25 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). In addition, the applicants claimed EUR 50,000 each in respect of non-pecuniary damage. They supported their claims by submitting statements in which they described the difficulties they had experienced as a result of the application of the rent-control scheme to their property, and in some cases they also described the circumstances under which the property had been taken away from them or their predecessors under the previous regime.

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

42. 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.

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 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.

44. As to the temporal scope of the applicants' claims, the Court notes first of all that they have defined it with reference to a period ending on 31 December 2016. It further observes that under Law no. 260/2011 the owners of property which remained subject 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).

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

(i) the applicants in application no. 33076/10 aggregate sums covering all heads of damage specified in respect of each individual applicant in Appendix 5 (column H) – a total amount of EUR 697,030 – plus any tax that may be chargeable on those amounts;

(ii) the applicants in application no. 14383/11 aggregate sums covering all heads of damage specified in respect of each individual applicant in Appendix 6 (column H) – a total amount of EUR 552,900 – plus any tax that may be chargeable on those amounts.

46. The award in respect of pecuniary and non-pecuniary damage totals EUR 1,249,930, plus any tax that may be chargeable in respect of this amount.

B. Costs and expenses

47. The applicants claimed:

(i) EUR 78,612.05 (no. 33076/10) and EUR 65,871.86 (no. 14383/11) in legal costs in respect of their representation in the proceedings before the Court;

(ii) EUR 88,088.88 (no. 33076/10) and EUR 81,166.89 (no. 14383/11) for the preparation of the expert opinions submitted to the Court; and

(iii) EUR 330 (no. 33076/10) and EUR 180 (no. 14383/11) for translation costs.

48. They supported their claims under (i) by submitting legal agreements and solemn declarations signed by the applicants regarding their obligation to pay legal fees to the legal representatives after the Court's ruling; claims under (ii) by submitting invoices issued by the experts and solemn

declarations signed by the applicants regarding their obligation to cover the expert costs after the Court's ruling; and claims under (iii) by submitting the relevant invoices.

49. The Government contested the claims under (i) and (ii) as being clearly excessive. They did not object to the amount in respect of translation costs.

50. Regard being had to the documents in its possession and to its case-law (see *Mečiar and Others*, cited above, § 45), the Court considers it reasonable to award the following sums:

(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 18,000 jointly in application no. 33076/10, and EUR 14,000 jointly in application no. 14383/11;

(ii) 25% of the total sum claimed in respect of the expert opinions on the rental value of individual flats – namely EUR 22,022 jointly in application no. 33076/10, and EUR 20,292 jointly in application no. 14383/11. These amounts are to be apportioned *pro rata* among the applicants according to the respective costs of the individual expert opinions that they submitted;

(ii) EUR 330 jointly in application no. 33076/10, and EUR 180 jointly in application no. 14383/11 for translation costs.

51. The award in respect of costs and expenses therefore totals EUR 74,824, plus any tax that may be chargeable to the applicants.

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 Ch. Andrássyová does not have standing to continue the present proceedings in her mothers's stead, that Mr J. Soročín has standing to continue the present proceedings in Ms E. Soročínová's stead and that Ms K. Šináková has standing to continue the present proceedings in Mr F. Kruml's stead;
3. *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, in so far as they concern the claims of

Ms S. Andrássová, and in so far they concern the complaint under Article 13 of the Convention in conjunction with Article 1 of Protocol No. 1, and 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 merits of 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 1,249,930 (one million two hundred and forty-nine thousand nine hundred and thirty euros), plus any tax that may be chargeable, in respect of pecuniary and non-pecuniary damage (paragraphs 45 and 46);
 - (ii) EUR 74,824 (seventy-four thousand eight hundred and twenty-four euros), plus any tax that may be chargeable to the applicants, in respect of costs and expenses (paragraphs 50 and 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;
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**Application no. 33076/10 – list of applicants**

1. Mr Kazimír Matuschka, who was born in 1961 and lives in Poprad.
2. Ms Ingrid Mrkvová, who was born in 1957 and lives in Brno-Černovice, the Czech Republic.
3. Ms Sylvia Andrásyová, who was born in 1931 and lived in Bratislava. She died in 2010.
4. Mr Kristian Matuschka, who was born in 1952 and lives in Bratislava.
5. Mr Horst Husár, who was born in 1942 and lives in Bratislava.
6. Mr Pavol Husár, who was born in 1946 and lives in Bratislava.
7. Ms Eva Sorčinová, who was born in 1940 and lived in Bratislava. She died in 2012 and was replaced in the proceedings before the Court by her son Mr Jaroslav Soročin, who was born in 1951 and lives in Bratislava.
8. Ms Judita Kramplová, who was born in 1934 and lives in Štvrtok na Ostrove.
9. Ms Mária Gullová, who was born in 1948 and lives in Bratislava.
10. Ms Michaela Korvasová, who was born in 1962 and lives in Bratislava.
11. Mr Milan Bálint, who was born in 1966 and lives in Humenné.
12. Mr Vladimír Bohuslav, who was born in 1954 and lives in Bratislava.
13. Mr Ivan Stodola, who was born in 1962 and lives in Banská Bystrica.
14. Ms Elena Stodolová, who was born in 1930 and lives in Banská Bystrica.
15. Ms Ivana Vilčeková, who was born in 1959 and lives in Brusno.
16. Ms Anna Konečná, who was born in 1938 and lives in Bratislava.
17. M-MARKET, akciová spoločnosť, a joint-stock company with its registered office in Lučenec, represented by Mr R. Kelemen.
18. F.SEAL, s.r.o., a limited liability company with its registered office in Lučenec, represented by Mr R. Kelemen.
19. RENOBYT s.r.o., a limited liability company with its registered office in Bratislava, represented by Mr V. Bohuslav.
20. BL-DEVELOPER, spol. s r.o., a limited liability company with its registered office in Bratislava, represented by Mr L. Borároč.
21. SNP REAL, a.s., a joint-stock company with its registered office in Bratislava, represented by Ms J. Ondrišová and Ms K. Ondrišová.

APPENDIX 2**Application no. 14383/11 – list of applicants**

1. Mr Július Vaňura who was born in 1954 and lives in Bratislava.
2. Ms Eva Vaňurová, who was born in 1945 and lives in Bratislava.
3. Ms Ružena Krivošíková, who was born in 1956 and lives in Bratislava.
4. Mr Ladislav Ročiak, who was born in 1934 and lives in Žilina.
5. Ms Helena Ročiaková, who was born in 1942 and lives in Rajecké Teplice.
6. Mr Ivan Albert, who was born in 1945 and lives in Bratislava.
7. Mr Rudolf Albert, who was born in 1947 and lives in Bratislava.
8. Ms Katarína Šináková, who was born in 1960 and lives in Bratislava.
9. Mr František Kruml, who was born in 1926 and lived in Bratislava. He died on 17 March 2017.
10. Ms Vlasta Pivarčiová, who was born in 1924 and lives in Bratislava.
11. Mr Georg Mayer, who was born in 1953 and lives in Hamburg, Germany.
12. Mr Anton Sudek, who was born in 1955 and lives in Bratislava.
13. Ms Alžeta Strížencová, who was born in 1957 and lives in Bratislava.
14. Mr Ladislav Banhégyi, who was born in 1948 and lives in Bratislava.
15. Mr Imrich Banhégyi, who was born in 1931 and lives in Bratislava.
16. Mr Pavol Zátarecký, who was born in 1974 and lives in Bratislava.

The applicants nos. 4 and 5 are spouses.

APPENDIX 3

Application no. 33076/10 – inadmissible complaints

Applicant	Residential house	Flat	Period of application of rent control/ownership in respect of the flats concerned
Kristian Matuschka	Štefániková trieda 17, Nitra	1	22/03/2001 - 30/06/2004
Ivan Stodola Elena Stodolová Ivana Vilčeková	Michalská 3, Bratislava - Staré Mesto	4 8	25/10/1995 - 30/09/2008 25/10/1995 - 05/03/2008
Anna Konečná	Nám Sv. Anny 36, Trenčín	1 2 3 4 6	17/02/1992 - 30/06/2007 17/02/1992 - 31/09/2007 17/02/1992 - 31/12/2007 17/02/1992 - 31/12/2007 17/02/1992 - 31/03/2007
M-Market a.s.	Račianska 53, Bratislava - Staré Mesto	5304 5307 5308 5311 5312 5315 5316 5309	04/05/2007 - 27/04/2008 04/05/2007 - 27/04/2008 04/05/2007 - 27/04/2008 04/05/2007 - 27/04/2008 04/05/2007 - 27/04/2008 04/05/2007 - 27/04/2008 04/05/2007 - 27/04/2008 04/05/2007 - 31/08/2008
F. SEAL, s.r.o.	Račianska 53, Bratislava - Staré Mesto	5307 5312	28/04/2008 - 26/04/2009 28/04/2008 - 04/05/2009
RENOBYT, spol. s.r.o.	Michalská 4, Bratislava - Staré Mesto	1 2 3 4 6 7	20/02/2004 - 01/05/2005 20/02/2004 - 04/10/2005 20/02/2004 - 31/12/2005 20/02/2004 - 28/02/2006 20/02/2004 - 10/02/2004 20/02/2004 - 30/11/2004
BL-DEVELOPER, spol.s.r.o.	Biela 4, Bratislava - Staré Mesto	8 9 10 11	18/12/2003 - 20/06/2005 18/12/2003 - 19/05/2004 18/12/2003 - 15/07/2004 18/12/2003 - 31/08/2005
SNP REAL, a.s.	Nám. SNP 14, Bratislava - Staré Mesto	81	22/08/2000 - 15/06/2007

APPENDIX 4**Application no. 14383/11 - inadmissible complaints**

Applicant	Residential house	Flat	Period of application of rent control/ownership in respect of the flats concerned
Július Vaňura, Eva Vaňurová, Ružena Krivošíková	Trenčianska 15, Bratislava II	3	25/05/1972 - 19/09/2003
Ladislav Ročiak, Helena Ročiaková	Nám. A. Hlinku 7, Žilina	4 5	16/12/2002 - 28/02/2007 16/12/2002 - 30/08/2004
Ivan Albert, Rudolf Albert	Cintorínska 24, Bratislava - Staré Mesto	2	20/10/2004 - 30/06/2009
František Kruml	Cintorínska 24, Bratislava - Staré Mesto	1	22/06/1992 - 13/12/2009
		3	22/06/1992 - 13/12/2009
		4	22/06/1992 - 13/12/2009
		5	22/06/1992 - 13/12/2009
		6	22/06/1992 - 13/12/2009
		7	22/06/1992 - 13/12/2009
		8	22/06/1992 - 13/12/2009
Ladislav Banhégyi, Imrich Banhégyi	Šoltésovej 16, Bratislava - Staré Mesto	1	07/01/1999 - 10/06/2008
		6	07/01/1999 - 23/11/2006
		8	07/01/1999 - 30/09/2006
Ladislav Banhégyi, Imrich Banhégyi	Železničiarska 10 Bratislava - Staré Mesto	1	07/01/1999 - 07/01/2005
		4	07/01/1999 - 01/05/2009
		7	07/01/1999 - 01/11/2008
		9	07/01/1999 - 01/05/2007
		10	07/01/1999 - 01/10/2007
		13	07/01/1999 - 27/01/2009
		16	07/01/1999 - 31/08/2009
		22	07/01/1999 - 31/07/2005
		23	07/01/1999 - 04/12/2005
		25	07/01/1999 - 20/09/2005
		26	07/01/1999 - 30/10/2005
		27	07/01/1999 - 31/12/2008
		30	07/01/1999 - 28/02/2008

Pavol Zátorecký	Andreja Kmeťa 14, Banská Štiavnica	60	25/05/2005 - 18/02/2006
		63	25/05/2005 - 18/02/2006
		65	25/05/2005 - 18/02/2006
		61	25/05/2005 - 13/11/2006
		62	25/05/2005 - 22/10/2006
		64	25/05/2005 - 30/11/2005

APPENDIX 5

Application no. 33076/10

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 [€]
Kazimír Matuschka	Štefániková trieda 17, Nitra	2	54.7	08/12/2006 - 01/06/2013	1/6	26,055.22	4,800
		3	51.7	08/12/2006 -			
		5	45.6	08/12/2006 -			
		4	54.7	08/12/2006 - 31/05/2011			
Ingrid Mrkvová	Štefániková trieda 17, Nitra	2	54.7	08/12/2006 - 01/06/2013	1/6	26,055.22	4,800
		3	51.7	08/12/2006 -			
		5	45.6	08/12/2006 -			
		4	54.7	08/12/2006 - 31/05/2011			
Kristian Matuschka	Štefániková trieda 17, Nitra	2	54.7	08/12/2006 –	1/3	103,204.46	15,600
		3	51.7	01/06/2013			
		5	45.6	08/12/2006 -			
		4	54.7	08/12/2006 - 08/12/2006 - 31/05/2011			

Horst Husár	Michalská 3, Bratislava - Staré Mesto	1	33.34	18/03/1992 - 31/03/2010	1/6	338,396.03	28,200
		2	77.7	18/03/1992 - 30/06/2014			
		3	46.88	18/03/1992 -			
		4	56.17	18/03/1992 - 31/10/2014			
		5	93.84	18/03/1992 -			
			102.76	18/03/1992 - 31/03/2013			
Pavol Husár	Michalská 3, Bratislava - Staré Mesto	1	33.34	18/03/1992 - 31/03/2010	1/6	338,396.03	28,200
		2	77.7	18/03/1992 - 30/06/2014			
		3	46.88	18/03/1992 -			
		4	56.17	18/03/1992 - 31/10/2014			
		5	93.84	18/03/1992 -			
			102.76	18/03/1992 - 31/03/2013			
Jaroslav Soročín	Michalská 3, Bratislava - Staré Mesto	1	33.34	18/03/1992 - 31/03/2010	1/6	338,396.03	28,200
		2	77.7	18/03/1992 - 30/06/2014			
		3	46.88	18/03/1992 -			
		4	56.17	18/03/1992 - 31/10/2014			
		5	93.84	18/03/1992 -			
			102.76	18/03/1992 - 31/03/2013			
Judita Kramplová	Michalská 3, Bratislava - Staré Mesto	1	33.34	25/02/2007 - 31/03/2010	129/312	214,495.12	22,500
		2	77.7	25/02/2007 - 30/06/2014			
		3	46.88	25/02/2007 -			
		4	56.17	25/02/2007 - 31/10/2014			
		5	93.84	25/02/2007 -			
			102.76	25/02/2007 - 31/03/2013			

Mária Gullová	Michalská 3, Bratislava - Staré Mesto	1	33.34	25/02/2007 - 31/03/2010	3/312	4,988.26	530
		2	77.7	25/02/2007 - 30/06/2014			
		3	46.88	25/02/2007 -			
		4	56.17	25/02/2007 - 31/10/2014			
		5	93.84	25/02/2007 -			
		6	102.76	25/02/2007 - 31/03/2013			
		7	102.76	25/02/2007 - 31/03/2013			
Michaela Korvasová	Michalská 3, Bratislava - Staré Mesto	1	33.34	25/02/2007 - 31/03/2010	12/312	19,953.04	2,100
		2	77.7	25/02/2007 - 30/06/2014			
		3	46.88	25/02/2007 -			
		4	56.17	25/02/2007 - 31/10/2014			
		5	93.84	25/02/2007 -			
		6	102.76	25/02/2007 - 31/03/2013			
		7	102.76	25/02/2007 - 31/03/2013			
Milan Bálint	Palackého 6, Bratislava - Staré Mesto	1	60.41	15/11/2005 - 23/11/2011	1/16	57,942.83	5,300
		2	26.18	15/11/2005 - 23/11/2011			
		3	60.73	15/11/2005 - 23/11/2011			
		4	107.51	15/11/2005 - 23/11/2011			
		5	60.9	15/11/2005 - 23/11/2011			
		6	107.27	15/11/2005 - 23/11/2011			
		7	60.95	15/11/2005 - 23/11/2011			
		8	107.09	15/11/2005 - 23/11/2011			
		9	107.65	15/11/2005 - 23/11/2011			
		10	60.77	15/11/2005 - 23/11/2011			
Vladimír Bohuslav	Palackého 6, Bratislava - Staré Mesto	1	60.41	15/11/2005 - 23/11/2011	1/16	57,942.83	5,300
		2	26.18	15/11/2005 - 23/11/2011			
		3	60.73	15/11/2005 - 23/11/2011			
		4	107.51	15/11/2005 - 23/11/2011			
		5	60.9	15/11/2005 - 23/11/2011			

		6	107.27	15/11/2005 - 23/11/2011			
		7	60.95	15/11/2005 - 23/11/2011			
		8	107.09	15/11/2005 - 23/11/2011			
		9	107.65	15/11/2005 - 23/11/2011			
		10	60.77	15/11/2005 - 23/11/2011			
Ivan Stodola	Grösslingová 43, Bratislava - Staré Mesto	2	48.58	25/10/1995 - 31/03/2011	1/6	365,740.69	37,800
		3	155.3	25/10/1995 -			
		5	126.14	25/10/1995 -			
		6	127.05	25/10/1995 -			
		9	74.33	25/10/1995 -			
		7	74.33	25/10/1995 - 30/11/2012			
Elena Stodolová	Grösslingová 43, Bratislava - Staré Mesto	2	48.58	25/10/1995 - 31/03/2011	1/6	365,740.69	37,800
		3	155.3	25/10/1995 -			
		5	126.14	25/10/1995 -			
		6	127.05	25/10/1995 -			
		9	74.33	25/10/1995 -			
		7	74.33	25/10/1995 - 30/11/2012			
Ivana Vilčeková	Grösslingová 43, Bratislava - Staré Mesto	2	48.58	25/10/1995 - 31/03/2011	1/6	365,740.69	37,800
		3	155.3	25/10/1995 -			
		5	126.14	25/10/1995 -			
		6	127.05	25/10/1995 -			
		9	74.33	25/10/1995 -			
		7	74.33	25/10/1995 - 30/11/2012			
Anna Konečná	Nám. Sv. Anny 32, Trenčín	13	71.49	18/03/1992 - 22/02/2016	1/2	1,377,408.23	209,100
		14	71.95	18/03/1992 - 31/03/2010			
		15	71.95	18/03/1992 - 13/06/2016			
		17	72.8	18/03/1992 - 28/01/2016			
		18	88.08	18/03/1992 - 12/04/2016			

	Nám. Sv. Anny 34, Trenčín	7 8 10 12 9 11	98.8 93.43 100.26 100.24 109.78 109.5	18/03/1992 - 31/12/2013 18/03/1992 - 22/02/2016 18/03/1992 - 15/04/2016 18/03/1992 - 18/03/1992 - 31/12/2011 18/03/1992 - 31/12/2010	1/2		
	Nám. Sv. Anny 36, Trenčín	5	87.88	18/03/1992 - 15/02/2016	1/2		
M. Market, a.s.	Račianska 53, Bratislava - Staré Mesto	1 5 10 13 14	67.67 67.6 47.01 68.4 47.01	04/05/2007 - 04/05/2007 - 04/05/2007 - 04/05/2007 - 04/05/2007 - 05/11/2015	1/1	298,098.84	49,000
F. SEAL, s.r.o.	Račianska 53, Bratislava - Staré Mesto	4 8 11 15 16	65.4 67.3 67.93 67.93 68.13	28/04/2008 - 30/08/2011 28/04/2008 - 21/11/2011 28/04/2008 - 07/12/2011 28/04/2008 - 30/08/2011 28/04/2008 - 30/08/2011	1/1	146,247.79	18,800
SNP REAL, a.s.	Nám. SNP 14, Bratislava - Staré Mesto	51 61 71 91 62 72	140.8 141 141 25.3 64.8 64.8	22/08/2000 - 22/08/2000 - 22/08/2000 - 22/08/2000 - 22/08/2000 - 20/06/2013 22/08/2000 - 26/08/2010	1/1	1,547,170.53	161,200
Total						5,991,972.53	697,030

APPENDIX 6

Application no. 14383/11

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 [€]
Július Vaňura	Trenčianska 15, Bratislava	8	72.57	18/03/1992 - 12/11/2012	1/2	134,744.06	13,500
Eva Vaňurová	Trenčianska 15, Bratislava	8	72.57	18/03/1992 -	1/4	72,287.72	8,100
Ružena Krivošíková	Trenčianska 15, Bratislava	8	72.57	18/03/1992 -	1/4	72,287.72	8,100
Ladislav Ročiak, Helena Ročiaková	Nám. A. Hlinku 7, Žilina	1 2 3	87.57 (81.57) 126.02 (120.02) 87.57 (81.57)	16/12/2002 - 31/12/2015 16/12/2002 - 30/11/2015 16/12/2002 - 31/01/2016	1/1*	307,736.42	67,500*

Ivan Albert	Cintorínska 24, Bratislava - Staré Mesto	1 3 4 5 6 7 8	114.70 118.80 85.40 77.90 127.90 86.80 30.10	20/10/2004 - 20/10/2004 - 20/10/2004 - 20/10/2004 - 20/10/2004 - 20/10/2004 - 20/10/2004 - 23/06/2011	1/5	244,260.33	28,100
Rudolf Albert	Cintorínska 24, Bratislava - Staré Mesto	1 3 4 5 6 7 8	114.70 118.80 85.40 77.90 127.90 86.80 30.10	20/10/2004 - 20/10/2004 - 20/10/2004 - 20/10/2004 - 20/10/2004 - 20/10/2004 - 20/10/2004 - 23/06/2011	1/5	244,260.33	28,100
Katarína Šináková	Cintorínska 24, Bratislava - Staré Mesto	1 3 4 5 6 7 8	114.70 118.80 85.40 77.90 127.90 86.80 30.10	14/12/2009 - 14/12/2009 - 14/12/2009 - 14/12/2009 - 14/12/2009 - 14/12/2009 - 14/12/2009 - 23/06/2011	1/5	92,776.92	16,200
Vlasta Pivarčiová	Vlčková 39, Bratislava - Staré Mesto	1	58.75	08/04/1999 - 25/07/2013	1/3 (08/04/1999 -10/08/2008) 2/3 (11/01/2008- 25/07/2013)	86,259.22	7,000
Georg Mayer	Heydukova 9, Bratislava - Staré Mesto	8	131.03	15/06/2006 -	12/96	196,537.78	3,100

Anton Sudek	Kuzmányho 15, Bratislava - Staré Mesto	1	143.27	18/03/1992 -	1/2	337,081.31	32,000
Alžbeta Strížencová	Kuzmányho 15, Bratislava - Staré Mesto	1	143.27	18/03/1992 -	1/2	337,081.31	32,000
Ladislav Banhégyi	Šoltésovej 16, Bratislava - Staré Mesto	2 3 4 7 9 10 11 5 12	53.58 45.92 92.26 101.64 101.64 87.16 87.16 101.64 87.16	07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 27/11/2012 07/01/1999 - 24/10/2013	1/6 (07/01/1999 - 13/11/2007) 5/24 (14/11/2007 -)	1,592,068.65	42,700

	Železničiarska 10 Bratislava - Staré Mesto	2 3 5 8 12 15 17 18 19 21 24 28 29 31 32 6 11 14 20	76.17 79.15 79.15 79.61 63.32 69.27 40.88 41.91 54.81 57.18 44.25 44.25 57.18 42.86 44.25 79.61 69.27 63.32 33.09	07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 11/02/2013 07/01/1999 - 18/04/2011 07/01/1999 - 01/06/2011 07/01/1999 - 13/12/2010	1/6 (07/01/1999 - 18/03/2003) 1/3 (19/03/2003 - 12/07/2004) 1/2 (13/07/2004 -)		135,600
Imrich Banhégyi	Šoltésovej 16, Bratislava - Staré Mesto	2 3 4 7 9 10 11 5 12	53.58 45.92 92.26 101.64 101.64 87.16 87.16 101.64 87.16	07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 07/01/1999 - 27/11/2012 07/01/1999 - 24/10/2013	1/6 (07/01/1999 - 13/11/2007) 5/24 (14/11/2007 -)	1,592,068.65	42,700

	Železničiarska 10 Bratislava - Staré Mesto	2	76.17	07/01/1999 -			
		3	79.15	07/01/1999 -			
		5	79.15	07/01/1999 -			
		8	79.61	07/01/1999 -			
		12	63.32	07/01/1999 -			
		15	69.27	07/01/1999 -			
		17	40.88	07/01/1999 -		1/6 (07/01/1999 - 18/03/2003)	
		18	41.91	07/01/1999 -			
		19	54.81	07/01/1999 -		1/3 (19/03/2003 - 12/07/2004)	135,600
		21	57.18	07/01/1999 -			
		24	44.25	07/01/1999 -			
		28	44.25	07/01/1999 -		1/2 (13/07/2004 -)	
		29	57.18	07/01/1999 -			
		31	42.86	07/01/1999 -			
		32	44.25	07/01/1999 -			
		6	79.61	07/01/1999 - 11/02/2013			
		11	69.27	07/01/1999 - 18/04/2011			
	14	63.32	07/01/1999 - 01/06/2011				
	20	33.09	07/01/1999 - 13/12/2010				
Pavol Zátorecký	Andreja Kmeťa 14, Banská Štiavnica	11	119.10	25/05/2005 -	5/6 (25/05/2005 - 24/06/2008) 1/1 (25/06/2008 -)	68,838.53	20,100
Total						5,378,288.95	552,900

* joint marital ownership