Plip Municipal Guidelines For Substantial Completion Of Property Law Implementation

Property Law Implementation is considered substantially completed in any municipality in which:

1. All pending claims made for property under the property laws, including requests for enforcement of CRPC decisions, have been resolved, in the sense that a decision has been issued and all subsequent steps required by law have been taken.

2. All repossession information received from other municipalities has been acted on in accordance with the property laws and the *Instruction on Exchange of Information Related to the Sealing and Repossession of Property*.

3. All *ad acta* cases regarding claimed property in that municipality, including those for uncontested properties, have been reported to other municipalities and to PLIP Focal Points in accordance with the *Instruction on Exchange of Information Related to the Sealing and Repossession of Property*.

4. All reconstruction beneficiary information received from the Housing Verification and Monitoring Unit (HVM) has been acted on in accordance with the property laws and the PLIP *Legal Guidelines*.

5. A report has been made of (1) the number of unclaimed real properties and apartments in the municipality; (2) the number, location, current status and capacity of alternative accommodation resources (3) the number of temporary users who remain entitled to alternative accommodation and the specific resources used to provide it to them, and (4) the number and procedural posture of appeals against administrative determinations under the property laws pending before any competent administrative or judicial body, as well as lawsuits filed in accordance with legal provisions regulating preliminary issues.

6. Sufficient administrative capacity has been specifically dedicated, on an ongoing basis and in accordance with law, to fully process (1) any future municipal claims made for private property; (2) any future requests for enforcement of CRPC decisions on private or socially-owned property; (3) any claims originally made to CRPC that may be received from CRPC in accordance with legal provisions regulating the transfer of CRPC's capacities to domestic bodies; (4) any final orders received from competent administrative or judicial appeals bodies; preparations for such processing should be based on a realistic assessment of the numbers of cases described under points (1) to (4), above, that are likely to arise in that municipality.

7. Sufficient administrative capacity has been specifically dedicated, on an ongoing basis and in accordance with law, to conduct regular, systematic checks of the continuing legal entitlement of alternative accommodation beneficiaries. Decisions are to be issued, in accordance with the property laws, related regulations, and any contractual arrangements between the competent authority and interested parties, terminating the right to alternative accommodation (AA) of any AA beneficiary who:

(1) vacated abandoned property without moving into AA offered to them;

(2) explicitly refused AA offered to them;

(3) vacated an allocated AA unit voluntarily;

(4) did not seek further installments of lump sum or rental AA provided to them;

(5) lost their right to AA during a revision process;

(6) lost their right to AA based on information received from HVM or other municipalities;

(7) were placed on a waiting list for AA and did not turn up when notified it was available; or

(8) is found in any other way to fail to meet the criteria for AA in accordance with law.

The provisions of the laws on administrative procedure regarding providing adequate notice to the subject of such

a decision should be respected wherever necessary.

8. All case-files and documentation regarding property claimants should be archived in a manner compatible with applicable data protection standards.