

Buyers of privatized apartments in the Federation of BiH should be careful

The agencies engaged in Property Legislation Implementation (PLIP) wish to warn buyers of privatised socially-owned apartments in the Federation of Bosnia and Herzegovina that they should check carefully to be sure the original privatisation of the apartment was not based on an illegal revalidation of a contract on use. Anyone who does buy such an apartment from the person who illegally privatised it could find themselves facing legal action in court.

As PLIP stated in its 23 October 2001 Press Release, there is reason to believe that there may be thousands of cases of illegal revalidation. Many of these may have already led to illegal privatisation. Where unclaimed apartments are illegally privatised, they are made unavailable for use as alternative accommodation, as required by law. Where claimed apartments are illegally privatised, the right of the pre-war occupancy right holder to repossess the apartment may be delayed by years.

In this context, buyers should know that it is not enough to see the land book extract indicating that the person offering to sell you the apartment is the owner. In addition, you should **request to see proof that the contract on use of the seller was signed before 01 April 1992**. If the contract on use was signed after this date, then it has probably been revalidated, and there is a risk that the revalidation was illegal.

In order not to hinder the right of those who legally revalidated and purchased their apartments to sell them, it is imperative that Public Defenders throughout BiH work with the housing authorities to review all past revalidations and check new revalidations. Only once this work has been done can citizens purchase apartments whose original privatisation was based on revalidation without fear that the ownership may be contested.