Final deadline of October 4, 1999 for claiming repossession of certain socially owned apartments in the Federation of BiH

OHR, UNHCR and OSCE would like to remind all those who have still not claimed their socially owned apartments in the Federation of BiH that the following four categories of people still have an opportunity to do so before **October 4, 1999**:

- **Those whose occupancy rights were cancelled by court decisions**. These court decisions have been annulled by the Federation of BiH, and one more chance is given for repossession claims to be filed with the local housing authorities, but only before October 4, 1999. If someone already has a court decision restoring their occupancy right, but has not yet been able to return to the apartment, they can either seek enforcement of the decision with the Court or submit a claim to the local housing office. However, they should seek legal advice on this.
- **Those whose apartment was never declared abandoned**, and have not yet repossessed their apartment, in most cases because it is occupied by someone else. Prior to the July 1999 amendments to the law, local housing authorities were not competent to accept claims for repossession of apartments that were never declared abandoned. Instead, these persons were required to initiate a court procedure in order to reclaim their apartments, which in many cases is a slow and difficult

procedure. Now local housing authorities are obliged by law to receive and decide upon claims for the repossession of such apartments. Any claim must be filed by October 4, 1999. If someone is already going through the Court procedure, then they should seek legal advice on whether to continue or go to the local housing office and file a (new) claim.

- **Those whose apartment is destroyed or damaged**. The housing authorities used to declare themselves incompetent for deciding upon claims for repossession of such apartments. For this reason these individuals have been given additional time – until October 4, 1999 – for filing a claim to repossess their apartment. In cases where they receive a decision confirming the occupancy rights, they will be able to return to their apartments as soon as the apartments are reconstructed.

- **Those who voluntarily gave up their occupancy right to an apartment during the period 1 April 1992 and 7 February 1998 in exchange for an occupancy right to a new apartment**. Under the law, their occupancy right to the new apartment is now a temporary one. These persons must now file a claim for repossession of their pre-war apartment before October 4, 1999.

If someone falls into one of these categories and has not yet filed a claim for the repossession of their socially-owned apartment, they have a chance to do so only before **October 4, 1999** or they risk losing their occupancy right permanently.

A claim for the repossession of an apartment can be filed by the occupancy right holder, a household member or an authorised representative. Claims must be submitted to the office for housing affairs (or in Sarajevo with the Cantonal housing department) in the municipality where the claimed flat is located. The claim can be submitted in person by the claimant, the authorised representative or anybody else on

their behalf, or sent by mail (use registered mail and keep the receipt!). Housing offices must accept a claim, issue a receipt and decide upon it even if the claimant cannot provide other supporting documents. It is against the law for the authorities to charge an administrative fee or tax for submitting a claim.

For further information and advice, also for a standard claim form, the public should contact the nearest legal aid centre, UNHCR, OHR, OSCE or RRTF office.