

Latvia

Example of bad treatment of tenants in restituted apartment houses:

Kazakevičs' family eviction from rented flat in restituted apartment house by Latvian court judgment.

In January 2009 was evicted from rented flat in restituted apartment house Jekabpils Street 4, Riga, by Riga regional court judgment without providing it with another living apartment (in the street) Kazakevičs' family. The family eviction was made under pretext of supposed debt for rent.

Composition of the family:

Sergey Kazakevič, 64 years old, pensioner, his wife Valentina Kazakevič, 55 years old, pensioner, son Sergey Kazakevič, 32 years old, unemployed, daughter Nadezda Kazakevič, 26 years old, student, daughter Jelena Parfenova, 24 years old, married, grandson Akim Parfenov, 1 years old, grandson Jegor Parfenov, 2 years old.

The family occupied flat Nr.12 in living house Jekabpils street 4, Riga, on the ground of the municipal rent contract signed with the Moscow suburb district self-government of Riga (now – Latgal district of Riga) in 1991.

In 1988-1991 Sergey Kazakevič on the ground of the contract with the Riga town council by his personal job reconstructed the house Jekabpils Street 4. The house had been rebuilt up to 70%. The house reconstruction expenses were covered by the enterprise Sergey Kazakevič was working for.

During reconstruction the stove heating system had been liquidated and in the house had been built up a central heating system.

In 1993 the house in which C lived had been denationalized and given in private possession to very distant heirs of the former house owner, Ananij Trifonov, whose house had been nationalized by Latvian government in 1940. Without Kazakevičs' consent their status of the municipal flat tenants has been changed to tenants in private house status.

After coming to private possession of the house new owners disconnected central heating of the flats. There was not central heating in the house from 1996. Sergey Kazakevič used for heating of his flat electricity.

Till 2002 Kazakevičs' paid rent 0,148 LVL for one square meters of the flat as others tenants of municipal flats.

In December of 2001 the Parliament (Saeima) of Latvia passed the law "Changes in law "Of Living Apartment Rent" by which separated tenants of denationalized flats into special group on which impose obligation to pay each year increasing rent without their consent. In 2002 year Kazakevič paid 0,24 LVL, in 2003 year – 0,29 LVL and in 2004 year – 0,48 LVL for one square meter. This is for flat without heating and hot water supply. The rent in municipal houses (non-denationalized) had been frozen at 0,148 LVL for one square meter.

Notwithstanding that the flat where Kazakevičs' were living in was not centrally heated they paid rent 0,148 LVL for one square meter as tenants of municipal flats with all accommodations.

In April 2007 the court of Latgal district of Riga sentenced Kazakevičs' family for eviction from their flat in restituted house under pretext of supposed debt for rent.

Supposed debt for rent was calculated by the court as difference of rent in municipal houses and rent in restituted houses.

In May 2007 Kazakevičs placed their appeal with the Riga regional court. In September 2008 Riga regional court refused Kazakevičs complaint and confirmed judgment of the Riga Latgal district court.

In October 2008 Kazakevičs placed their cassation with the Supreme Court of Latvia but it was declared as inadmissible by the committee of 3 judges of the Supreme Court. So, the decision about eviction of Kazakevičs' family from their flat in the street came into force and they were evicted in January 2009.

In attachment:

Last page of the Riga regional court judgment of 29 September 2008 in Latvian language.

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Example distributed by:

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