



Examples on treatment of the sitting tenants - Slovakia

House at Vansovej Street Bratislava

In 1991 a foreign citizen claimed restitution of the house at Vansovej Street in Bratislava. Although he did not fulfill the legal criteria for restitution (he was not resident of Slovakia which at that time was the legal precondition to be eligible for restitution of property) he was handed over the house. At the moment of restitution four tenant families lived in the house. After this the house was several times sold to various private companies. In 1998 the owner of the house hired a private security service that broke into the flats of the four tenants (during working hours, when nobody was home) took out all personal property of the tenants and transported it to an unknown place, changed the door locks and did not released the tenants into their respective flats. The owner argued with the fact, he planned a large scale renovation of the house. The tenants called the police that refused any action arguing that the house was private property and the owner was free to decide on it. Thus the tenants became overnight homeless on top of that they had been deprived of their personal belongings.

After years the ECHR in Strasbourg decided that the Slovak authorities failed in their duty to protect the privacy and property of the Slovak tenants. In May 2010 the District Court in Bratislava decided that the tenants have the right for compensation for their personal belongings which had been violently removed from their flats and transported to an unknown place. The ruling is not yet final. There was no ruling on compensation for other harms (for becoming homeless, for years of psychological suffering, uncertainty etc.). The house concerned was never renovated at present time it is empty and disrepair. Many previous owners were connected with the criminal scene and died in the meantime.

Tenants in Banská Štiavnica cut of electricity

An house owner in Banská Štiavnica cut his tenants of electricity claiming the network system was bad. The tenants asked the court for help. After several trials the higher court passed the final judgment ordering the landlord to reestablish the electricity supply. Although the judgment is final the owners has not obeyed it and the tenants remain cut off electricity. No authority has so far taken action against the landlord disregarding the legitimate judgment of a court.

The house at Hviezdoslavovo Square 16 in Bratislava

In 1989 an old lady died in the house at Hviezdoslavovo Square 16 in Bratislava. In her testament she left her all her property including the flat she was living in to her home-nurse. Although the testament was doubtful at the very beginning (i.a. the old lady was of Hungarian nationality speaking almost no Slovak, the testament was written in perfect Slovak) the home nurse became owner of one flat in the apartment building of Hviezdoslavovo Square 16. After 1993 the act enabling tenants in publicly owned flats the purchase of the hired flat at favorable conditions (at artificially set prizes about 30000 Slovak crowns – equivalent of 1000 EURO) was adopted (Act Nr. 182/1993). However 8 families in the house at Hviezdoslavovo Square were denied the purchase since there was one private flat and the Act 182/1993 did not allow purchases of flats in houses with private ownership share unless the private shareholder would .

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The owner of the one private flat naturally used her right and blocked all purchase applications submitted by the tenants. Several trials concerning the legality of the heritage of the flat were held for years. In 2006 the municipal council of Bratislava – Old City decided to sell the rest of the apartment house to the owner of the 1 flat (at about 1,7 million EURO. It is a big question where the lady by profession an assistant found 1,7 million EURO to buy the apartment house. In about two months after buying the apartment building from the municipality the lady sold the whole house to a business company. Thus the tenants at Hviezdoslavovo square became sitting tenants deprived the chance to have (like others) durable housing instead eight families have been under existential threat for more than 18 years.

There could be more and more examples of ignoring the problem by the official authorities. For instance on 28 September 2010 the practice of assigning municipal flats in the municipality Bratislava Old City was discovered. In this municipality several hundreds of sitting tenants are living. The municipality is aware of this fact. Nevertheless in the last four years the municipal authorities at least thirty eight flats have been assigned to young applicants who applied for the flats arguing to want to set an existence independent from their parents. All applicants were related to deputies from the municipal council or employees of the municipal council. Most of the flats were then purchased by the successful applicants for symbolical prices (between 1000 and 1500 EURO) and immediately offered on the free market for market places (200 000 EURO and above). No sitting tenant has been allocated a substitute flat in the above mentioned period.

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