



Kosovo Property Claims Commission  
Komisioni i Kërkesave Pronësore të Kosovës  
Komisija Kosovske Agencije za Imovinu

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## DECISION

PANEL NO: 1

DECISION NO.: KPCC/D/A/155/2012  
DECISION DATE: 06/06/2012

Commissioners Heiskanen (Chairperson),  
Vokshi and Wühler

## ORDER

*(1) In each of the 35 (thirty-five) claims identified in parts A and B of the attached Schedule, the Commission*

*decides that*

*The claimant or the property right holder, as the case may be, has established ownership over the claimed property, or such part thereof as specified in the respective individual decision;*

*(2) In each of the 35 (thirty-five) claims referred to in the paragraph (1) above, the Commission*

*orders that*

*(a) The claimant or the property right holder, as the case may be, be given possession of the claimed property;*

*(b) The respondent and any other person occupying the property unlawfully vacate the same within 30 (thirty) days of the delivery of this order; and*

*(c) Should the respondent or any other person occupying the property unlawfully fail to comply with the order to vacate within the time stated, they be evicted from the property.*

*(3) In each of the claims identified in the relevant columns in parts A and B of the attached Schedule, the Commission additionally decides that the claims be dismissed insofar as the claimants seek compensation for physical damage to, or for loss of use of, the claimed property; and*

- (4) *In cases in which there is more than one owner, the above decisions and orders do not affect the rights of any respective co-owners.*

## LEGAL FRAMEWORK

1. On 13 June 2008, Law No. 03/L-079 adopting and amending UNMIK Regulation 2006/50 (“UNMIK/REG/2006/50”) on the resolution of claims relating to private immovable property, including agricultural and commercial property entered into force in Kosovo. The Law included an annex (“Annex I”) adopting and amending UNMIK Administrative Direction No. 2007/5 (“UNMIK/ADM/DIR/2007/5”), which implements UNMIK/REG/2006/50. Law No. 03/L-079 and Annex I established the Kosovo Property Agency (“KPA”) as an independent agency and amended certain provisions of UNMIK/REG/2006/50 and UNMIK/ADM/DIR/2007/5 as necessary to effect the change in the applicable legal framework. In accordance with their terms, Law No. 03/L-079 and Annex I entered into force upon their publication in the Official Gazette.
2. Pursuant to section 22 of UNMIK/REG/2006/50 the Regulation ceased to be in force after 31 December 2008. Accordingly, Law No. 03/L-079 is presently the sole source of the Commission’s statutory authority. The provisions of UNMIK/REG/2006/50 remain relevant to the extent that they have been incorporated by reference to Law No. 03/L-079.

## REASONS FOR THE DECISION

3. A claimant is entitled to an order from the Commission for repossession of the property, if the claimant proves:
  - (a) ownership of private immovable property, including agricultural and commercial property; or
  - (b) a use right in respect of private immovable property, including agricultural and commercial property,

where the claimant or the property right holder, as the case may be, is not now able to exercise such property rights, and where the claim involves circumstances directly related to or resulting from the armed conflict that occurred in Kosovo between 27 February 1998 and 20 June 1999. (See section 3.1 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079.)

4. Where the claimant makes an ownership claim pursuant to section 3.1(a) of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079, the Commission must resolve the issue of ownership and, if ownership is proven to the satisfaction of the Commission and the claimant does not indicate otherwise, make an order for repossession in favour of the claimant or the property right holder, as the case may be. Where the claimant makes a claim for a property use right pursuant to section 3.1(b) of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079, the Commission may consider the claim in a summary procedure and make an order for recovery of possession. (See section 3.1 of UNMIK/REG/2006/50 read together with section 9 of Annex III of UNMIK/ADM/DIR/2007/5 as adopted by Law No. 03/L-079.)<sup>1</sup>

<sup>1</sup>There appears to be a technical error in Annex I. While Annex I clearly appears to be intended to replace UNMIK/ADM/DIR/2007/5 in its entirety, including its all three annexes, Article 26 of Annex I provides that the title of Annex III of UNMIK/ADM/DIR/2007/5 shall be replaced by a title referring to Annex II. However, there is neither specific provision nor any other indication in Law 03/L-079 or its Annexes that the intention of this particular amendment was to delete Annex I or Annex II of UNMIK/ADM/DIR/2007/5. Accordingly the

5. The Commission held its twenty-ninth session from 4 to 6 June 2012 in Prishtinë/Pristina. A total of 1,601 agricultural property claims were submitted by the Executive Secretariat of the KPA (the "Executive Secretariat") to the Commission at its twenty-ninth session, together with supporting documentation, claims processing reports, verification reports, and other relevant information. A total of nine agricultural property claims which had been presented to the Commission were referred by the Commission back to the Executive Secretariat during the session and four agricultural property claims which had been presented to the Commission were withdrawn by the Executive Secretariat. The Commission suspended the consideration of two agricultural property claims that have been submitted to this session pending the holding of an oral hearing. In addition, the Commission resolved six claims which had previously been suspended pending the holding of an oral hearing. In sum, a total of 1,592 agricultural property claims were resolved by the Commission during the session.

6. At the Commission's session, the Executive Secretariat presented the claims to the Commission and reported on the processing of and the legal and evidentiary issues raised by the claims. At the Commission's request, the Executive Secretariat provided additional information and explanations, as required.

*A. Claims covered by the present decision*

7. In all of the claims covered by the present decision the claimants seek the resolution of an ownership claim, and all of them relate to agricultural properties, including agricultural land, pasture and forests.

8. The present decision applies to the 35 claims identified in the attached Schedule. Claim Nos. 00657, 00663, 15206 and 50216 were subject of an earlier Commission decision.<sup>2</sup> However the earlier decisions in these claims were overturned by the Commission on account of an incorrect notification of the claimed property during claims processing by the Executive Secretariat or on account of other processing errors by the Executive Secretariat which were identified after the decision had been taken. These claims consequently stand to be re-determined following correct notification of the claimed properties. The Executive Secretariat has written to the claimants advising them of the notification error and informing them that the claims will be re-determined following correct notification of the claimed property. The claimants, as well as the relevant cadastral authority have been advised that the previous Commission decisions are invalid and cannot be used for the purposes of any legal transaction. The remaining 1,557 claims for agricultural property dealt with by the Commission during the session are covered by two other decisions, namely decision KPCC/D/A/154/2012 and decision KPCC/D/A/156/2012.

9. All 35 claims covered by the present decision are contested in the sense that the party or parties occupying the claimed properties, or a party that has expressed a legal interest in such properties (the "Respondent"), has contested the validity of the claim within the 30-day period prescribed in section 10.2 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079, or at a later stage during the proceedings, pursuant to section 10.3 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079.

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Commission considers that all three Annexes of UNMIK/ADM/DIR/2007/5 are included in the legislative package and will be referred to by the Commission in this decision as Sub-Annexes I, II and III, respectively.

<sup>2</sup> Claim No. 00657 was decided by KPCC/D/A/25/2008 dated 23 October 2008, Claim No. 00663 was decided by KPCC/D/A/19/2008 dated 20 June 2008, Claim No. 15206 was decided by KPCC/D/A/2/2007 dated 3 September 2007 and Claim No. 50216 was decided by KPCC/D/A/42/2009 dated 19 June 2009.

10. In order to satisfy the requirements for a valid claim, the claimant or the property right holder, as the case may be, must show that he or she had an ownership right in respect of the claimed property, and that he or she is not now able to exercise his or her property right due to the circumstances directly relating to or resulting from the armed conflict that occurred in Kosovo between 27 February 1998 and 20 June 1999.

1. *Contested claims – simple defence*

11. In the four claims identified in part A of the attached Schedule, the party occupying the claimed property, or a party that has expressed a legal interest in such property (the “Respondent”), has either not submitted any legally valid defence in response to the claim or has merely claimed to have the claimant’s permission to use the property, without providing any evidence in support of the allegation. In the absence of any valid defence on the part of the respondents, the Commission finds that the claims stand to be granted.

a. *Claim No. 01142*

12. In Claim No. 01142, the Claimant filed the claim in his capacity as a family household member of the property right holder, namely his deceased grandmother. In support of his claim, the Claimant has submitted a possession list in the name of the deceased property right holder. This document has been verified by the Executive Secretariat as being genuine.

13. The Respondent challenged the claim by alleging that he has purchased the claimed property around 2002-2003 from a third party, who according to the Respondent had purchased the property previously from the father of the alleged property right holder. However, the Respondent failed to provide any evidence in support of his assertions. When contacted by the Executive Secretariat, the Claimant denied that the property right holder had sold the claimed property.

b. *Claim No. 23051*

14. In Claim No. 23051, the Claimant filed the claim in her capacity as the property right holder. In support of her claimant the Claimant has submitted an inheritance decision and a possession list listing her as a co-owner of the claimed property. Both documents have been verified by the Executive Secretariat as being genuine.

15. The claimed property was initially incorrectly notified and the incorrectly notified property was found to be occupied by the Respondent, who challenged the claim with regard to that property. The Respondent has not withdrawn his challenge after the second, correct notification of the claimed property and states that he wants to purchase the claimed property.

c. *Claim Nos. 50442 and 92429*

16. Claim No. 50442 has been filed by the Claimant in her capacity as the property right holder, namely co-owner of the claimed property. Claim No. 92429 has been filed by the same Claimant in her capacity as a family household member of the property right holder, namely her brother. Both claims relate to the same property. The Executive Secretariat located *ex-officio* the certificate for immovable property rights, which lists both the Claimant and her brother as co-owners of the claimed property.

17. The Respondent to both claims is currently using the properties and alleges that he has agreed with the Claimant on a purchase price for the property, however he acknowledges that the contract was never concluded, no transaction took place and no money was paid.

2. *Contested claims – other*

18. In the 31 claims identified in part B of the attached Schedule, the party or parties occupying the claimed properties, or a party that has expressed a legal interest in such properties (the “Respondent”), has contested the validity of the claim, however, the Commission has reached the conclusion that the claims stand to be granted for the reasons set out below.

a. *Claim Nos. 00657, 00663, 50211, 50215, 50216, 90300 and 90301*

19. Claim Nos. 00657 and 00663 have been filed by the Claimant Damjan Ristic (the “First Claimant”) in his capacity as the property right holder, namely co-owner of the properties. Claim Nos. 50211, 50215, 50216, 90300 and 90301 have been filed by the Claimant Stojan Ristic (the “Second Claimant”) as a family household member of the alleged property right holder, namely his deceased father Dusan Ristic. The claims relate to the same properties. The First Claimant is the uncle of the Second Claimant and brother of the late Dusan Ristic. The Executive Secretariat found the two claimants being registered as co-owners of the claimed properties in the cadastral records, except for the property claimed in Claim No. 50211, for which the records have not been updated yet in the name of the Second Claimant for his co-owned share. Nevertheless, the Executive Secretariat has verified an inheritance decision dated 20 May 2002, submitted by the Second Claimant, as being genuine. According to the decision, the Second Claimant inherited the claimed property from his deceased father. The Claimants lost possession of the claimed properties in 1999 as a result of the conflict. The Commission is satisfied that the claimants have shown sufficient evidence that they are co-owners of the claimed properties and lost possession as a result of the conflict.

20. The Respondent asserts that the claimed properties were owned by his family and were expropriated after the end of the First World War. The Commission notes that it has no jurisdiction to decide on expropriation matters that occurred prior to and are not related to the conflict. Therefore, the Respondent fails to establish a valid defence.

b. *Claim No. 00706*

21. In Claim No. 00706, the Claimant filed the claim in her capacity as the property right holder. In support of her claim, the Claimant submitted a contract on gift, through which she received a part of the claimed property as a gift from her brother. The contract has been verified by the Executive Secretariat as being genuine.

22. The Respondent alleges that the claimed property belonged to his ancestors and was expropriated from them after the year 1922. The property was subsequently given to the family of the Claimant. The Commission notes that it has no jurisdiction to decide on expropriation matters that occurred prior to and are not related to the conflict. [The Commission finds that the assessment of the validity of the defence is not within the mandate of the Commission. Therefore, the Respondent failed to establish a valid defence.

c. *Claim Nos. 15206, 19393 and 19399*

23. Claim Nos. 19393 and 19399 have been filed by Zorka Davidovic (the “First Claimant”) in her capacity as the property right holder, namely co-owner of the claimed property. Claim No. 15206 has been filed by Vukosava Stanisic (the “Second Claimant”) in

his capacity as the property right holder, namely co-owner. Claim Nos. 15206 and 19393 relate to the same property. The Claimants submitted possession lists which show that the claimed properties are registered in the name of both Claimants as co-owners. The documents have been verified by the Executive Secretariat as being genuine. When contacted by the Executive Secretariat, the step-son of the First Claimant and the daughter of the Second Claimant both stated that the properties have not been sold.

24. The Respondent to Claim Nos. 15206 and 19393, who is currently using the claimed property, alleges that the claimed property was expropriated from him a long time ago. The Commission notes that it has no jurisdiction to decide on expropriation matters that occurred prior to and are not related to the conflict. Therefore, the Respondent failed to establish a valid defence.

25. The Respondent to Claim No. 19399 alleges that a socially owned agricultural combine dispossessed his father of the claimed property in 1953. He has submitted an old possession list, an administrative decision and a certificate, listing parcels with different numbers and surface areas, which are not linked to the claimed property. The Respondent further alleges that he submitted a lawsuit at the Municipal Court of Ferizaj/Urosevac in relation to all properties that allegedly were taken from his family, however, he failed to submit any evidence of this lawsuit, after being requested to do so by the Executive Secretariat.

*d. Claim Nos. 37058, 37059 and 37060*

26. In Claim Nos. 37058, 37059 and 37060 the Claimant filed the claims in his capacity as the property right holder. In support of his claim the Claimant submitted a possession list listing him as the owner of the claimed properties. This document has been verified by the Executive Secretariat as being genuine. The Claimant also states that the properties have not been sold.

27. The Respondent, who is occupying the claimed properties, contests the claims and alleges that his grandfather purchased the properties in 1929 from a third person. He also alleges that his grandfather was in 1941 forced by the authorities to purchase the same property from the Claimant's grandfather, but the transfer of ownership was never done. The Respondent claims that he filed a lawsuit against the Claimant in 2007 at the Municipal Court in Prishtinë/Pristina. The Respondent however failed to submit any material evidence in support of his assertions.

*e. Claim Nos. 00374, 23332 and 23333*

28. Claim No. 00374 has been filed by the Claimant in her capacity as a family household member of the property right holder, namely her deceased father. Claim Nos. 23332 and 23333 were lodged by another Claimant in her capacity as a family household member of the property right holder, namely her deceased father. Claim No. 00374 relates to the same property as that claimed in Claim Nos. 23332 and 23333. Both Claimants submitted *inter alia* a possession list, which lists the claimed properties in the name of their deceased father. The document has been verified by the Executive Secretariat as being genuine.

29. The Respondent challenges the claims alleging that he purchased the properties but has failed to provide any evidence in support of his assertions.

*f. Claim No. 34561*

30. In Claim No. 34561, the Claimant originally filed the claim in his capacity as the property right holder. Meanwhile, the Claimant passed away, and when the Executive Secretariat contacted the Claimant's son, he informed that he has inherited the claimed property and that there is an inheritance decision and a decision on division of the property, which he submitted. The claimed property has been already registered in the cadastral records in the name of the Claimant's son based on the aforementioned documents. The Claimant's son also stated that the properties have not been sold. The Commission is satisfied that the Claimant's son has shown sufficient evidence that he is the current owner of the claimed properties.

31. The Respondent alleges that the claimed properties belonged to her grandfather, but that they expropriated and given to the family of the Claimant. She further states that her mother has submitted a lawsuit in the Municipal Court of Deçan/Decani and that the case is still pending. However, the Respondent failed to submit any relevant evidence in support of her assertions. When asked by the Executive Secretariat whether she claims a legal right to the properties claimed in this claim, she advised to contact her lawyer. When the Executive Secretariat contacted the Respondent's lawyer, he asserted that the Respondent's family no longer challenges the claim.

*g. Claim Nos. 07492, 07501 and 07512*

32. In Claim Nos. 07492, 07501 and 07512, the Claimant filed the claims in her capacity as a family household member of the property right holder, namely her deceased husband. The Claimant submitted *inter alia* a contract on long life care from 1993 based on which the mother of the alleged property right holder gave the property to the alleged property right holder, namely her son. According to the contract, the alleged property right holder became an owner of the claimed properties in Claim Nos. 07492 and 07501, and co-owner of the claimed property in Claim No. 07512, after her mother-in-law passed away. The claimed properties are registered in the cadastral records in the name of the father of the alleged property right holder. However, this incorrect registration was rectified through a judgment of the Municipal Court in Vushtrri/Vucitrn, whereby the mother of the alleged property right holder was confirmed as the rightful owner of the claimed properties. Therefore the above contract on long life care is valid. This is further supported by a decision of the Municipal Court of Vushtrri/Vucitrn in 2005, whereby the inheritance procedure for the deceased mother of the property right holder was suspended as she had disposed of the property during her lifetime through the contract on long life care.

33. The Respondent alleges that he has the consent of the property right holder to use the claimed property. The Claimant confirmed that the property right holder had given permission to the Respondent to use the claimed properties, but that this permission has been terminated as the Respondent had failed to comply with the agreed terms. The Respondent failed to submit any evidence in support of his assertion.

*h. Claim No. 08846*

34. In Claim No. 08846, the Claimant filed the claim in his capacity as the property right holder. In support of his claim, the Claimant submitted a contract on gift from 1997, concluded between him and his father. The contract has been verified by the Executive Secretariat as being genuine. The Claimant's brother claims confirmation of ownership in respect of the same property in Claim No. 11256. He is also alleges to have acquired ownership over the claimed property through a contract on gift concluded with his father. The

contract on gift concluded between the Claimant in Claim No. 08846 and his father was concluded approximately four months prior to the second contract on gift between his brother and his father. As there is no evidence to suggest that the first transaction of ownership was not valid, the father could not have validly disposed of the property for a second time. Therefore the Commission concludes that the Claim No. 08846 stands to be granted in the name of the Claimant. Claim No. 11256 is decided by decision KPCC/D/A/156/2012.

*i. Claim No. 35239*

35. In Claim No. 35239, the Claimant originally filed the claim in his capacity as a family household member of the property right holder, namely his deceased father. However, the certificate for the immovable property right dated 14 May 2008 submitted by the Claimant lists the Claimant as co-owner with 3/9 of the claimed property. The document has been updated in favour of the Claimant on 21 May 2007. The Claimant explains that he inherited the property from his father. The Executive Secretariat has verified the certificate as being genuine.

36. The Respondent challenges the claim alleging that he purchased the claimed property from the Claimant in 2002. The Respondent however failed to substantiate his allegation or to submit any evidence to support it.

*j. Claim Nos. 39586, 39591, 39592, 39596 and 39601*

37. In Claim Nos. 39586, 39591, 39592, 39596 and 39601, the Claimant filed the claims in her capacity as the property right holder. The cousin of the Claimant alleges to be the owner of the same properties and has filed competing claims under Claim Nos. 36006, 36012, 36015, 36017 and 36019. These claims are dealt with by decision KPCC/D/A/156/2012. The Claimant alleges that she is the owner of the claimed properties pursuant to a contract on long life care dated 1984, concluded between her father as beneficiary of care and donor of the properties and the Claimant as provider of care and the beneficiary of the properties. According to the contract, the Claimant is to become the owner of properties after her father passes away. The Executive Secretariat requested the Claimant to provide the death certificate to establish that her father had passed away, however, this was not provided by the Claimant. When the Executive Secretariat attempted to contact the Claimant again, the Claimant's husband stated that they were divorced and that the Claimant had passed away. The claimed properties are registered in the cadastral records in the name of the Claimant's father. As there is no evidence on record that the Claimant's father has passed away, the Commission considers that the claims stand to be granted in the name of the Claimant's father.

*k. Claim No. 48156*

38. In Claim No. 48156, the Claimant filed the claim in his capacity as the property right holder, namely co-owner of the claimed property. In support of his claim, he has submitted a possession list which shows him as co-owner of the property. The document has been verified by the Executive Secretariat as being genuine.

39. The Respondent contests the claim alleging that the claimed property was the property of his great grandfather and was expropriated from him a long time ago. The Respondent alleges that he is waiting for documents to arrive from Turkey to prove his allegations, however, he failed to submit these documents. The Commission notes that it has no



jurisdiction to decide on expropriation matters that occurred prior to and are not related to the conflict. Therefore, the Respondent failed to establish a valid defence.

*l. Claim Nos. 28995 and 28996*

40. In Claim Nos. 28995 and 28996, the Claimant filed the claims in her capacity as the property right holder, namely co-owner of the claimed properties. In support of her claims the Claimant has submitted *inter alia* a possession list listing her as co-owner of the claimed properties, and an inheritance decision according to which she inherited the claimed properties from her father. Both documents have been verified by the Executive Secretariat as being genuine.

41. The Respondent, who is occupying the properties, contests the claims alleging that he purchased the properties in 1991 from the Claimant's father and that he has built a house thereon. In support of his allegations the Respondent submitted *inter alia* an informal purchase contract from 1991, several witness statements and a letter from his lawyer stating that the Respondent has filed a lawsuit in 2009 in the local competent court for confirmation of his ownership right. The Commission notes that the purchase contract does not relate to the properties claimed in Claim Nos. 28995 and 28996, but to a property claimed in a different claim. When contacted by the Executive Secretariat, the Respondent's authorized representative alleged that the Respondent purchased a different property through the said purchase contract, but that the Respondent also purchased the claimed properties shortly after this contract had been concluded. The Commission notes that the Claimant has submitted a copy of the purchase contract concluded between her father as seller and the Respondent's father as buyer which showed that certain other properties had been sold but that the claimed property was not among them.

42. During its 28<sup>th</sup> session on 19 April 2012, the Commission ordered that an oral hearing be held by one of its members pursuant to section 5.4 of Annex III of UNMIK/ADM/DIR/2007/5 as adopted by Law No. 03/L-079 in this case to hear the parties and the witnesses of the Respondent. The Respondent and three witnesses appeared for the oral hearing on 24 May 2012 in the KPA premises in Prishtinë/Pristina. The Claimant was not present at the hearing since the Executive Secretariat had not been able to contact her to invite her for the hearing. At the hearing, the Respondent alleged that in 1991 her late husband bought a piece of land from the Claimant's father, consisting of just over 24 ares, and that he paid a purchase price of 3,700 DM for the property. The Respondent further stated that an informal agreement was made as inter-ethnic transactions of immovable property were not allowed under the law applicable at the time. In 1992 the Respondent's husband started to construct a house on the property; she says which she is still living in that house today. All three witnesses also stated that the Respondent's husband purchased the land from the Claimant's father, and one of the witnesses stated that he was present when the contract was concluded and the money paid.

43. The Commission considers that the statements and testimonies of the Respondent and the witnesses at the hearing were coherent and related to the property that was the subject of the uncontested informal agreement submitted by both the Claimant and the Respondent. However, these statements and testimonies did not relate to the properties claimed in Claim Nos. 28995 and 28996. Therefore, based on the evidence before it, the Commission concludes that the claims stand to be granted in the name of the Claimant.

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44. In view of the foregoing, the Commission is satisfied, based on the evidence before it, that in the claims identified in parts A and B of the attached Schedule:

- (a) the claimant or the property right holder, as the case may be, had an ownership right in respect of the claimed property, or such part thereof as specified in the respective individual decision;
- (b) the claimant or the property right holder, as the case may be, in each case is not now able to exercise his or her ownership right; and
- (c) the claim in each case involves circumstances directly related to or resulting from the armed conflict that occurred in Kosovo between 27 February 1998 and 20 June 1999.

45. Accordingly, since the Claimants in each of the claims identified in parts A and B of the attached Schedule have proven their ownership right over the claimed property, and in the absence of any valid defence on the part of the Respondents, all of these claims stand to be granted.

*B. Compensation claims*

46. The Commission notes that in some of the claims covered by the present decision the claimants seek compensation for damage to, or loss of use of, the claimed properties. Under UNMIK/REG/2006/50 as adopted by Law No. 03/L-079 the Commission has no jurisdiction over compensation claims. Accordingly the claims for compensation must be dismissed.

*C. Concluding remarks*

47. The Commission's decision and order also apply, where appropriate, to any associated property, *i.e.* any buildings or other constructions owned or used by the claimant or the property right holder, as the case may be, which form a unit with the claimed property.

48. Section 8.8 of Annex III of UNMIK/ADM/DIR/2007/5 as adopted by Law No. 03/L-079 allows the Chairperson of the Commission to sign a cover decision approving all individual claims identified in the cover decision, if the number of claims decided in a session is high. The Commission considers that this is appropriate in the present case.

49. The Commission's decision is without prejudice to the right of the claimants or the property right holders, as the case may be, to seek confirmation of their property right over the claimed properties before the competent local authorities, such as the cadastral authorities or local courts, in accordance with the applicable law.

  
Chairperson

**APPEALS**

UNMIK/REG/2006/50 and the Law No. 03/L-79 provide that:

12.1 Within thirty (30) days of the notification to the parties by the Kosovo Property Agency of a decision of the Commission on a claim, a party may submit through the Executive Secretariat of the Kosovo Property Agency to the Supreme Court of Kosovo an appeal against such decision.

12.3 The appeal may be filed on the grounds that:

- (a) The decision involves a fundamental error or serious misapplication of the applicable material or procedural law; or
- (b) The decision rests upon an erroneous or incomplete determination of the facts.

Information on the appeals procedures is contained in the separate Appeals Information Sheet provided to parties with this decision.

**\* The English version is the official of all Property Claims Commission decisions. In case of conflict between the English language version and the Albanian or Serbian language version, then the meaning in the English language shall prevail.**

Spreadsheet /Lista /Prilog  
Part A/Pjesa A/Deo A

KPA01142
KPA23051
KPA50442
KPA92429

Spreadsheet /Lista /Prilog  
Part B/Pjesa B/Deo B

KPA00657	KPA00663	KPA00706	KPA15206	KPA19393	KPA19399	KPA37058
KPA37059	KPA37060	KPA50211	KPA50215	KPA50216	KPA90300	KPA90301
KPA00374	KPA23332	KPA23333	KPA34561	KPA07492	KPA07501	KPA07512
KPA08846	KPA35239	KPA39586	KPA39591	KPA39592	KPA39596	KPA39601
KPA48156	KPA28995	KPA28996				