



Kosovo Property Claims Commission
Komisioni i Kërkesave Pronësorete Kosovës
Komisija Kosovske Agencijeza Imovinu

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DECISION

PANEL NO: 1

DECISION NO.: KPCC/D/C/200/2013
DECISION DATE: 18/04/2013

Commissioners Heiskanen (Chairperson),
Vokshi and Wühler

ORDER

(1) *In the 13 (thirteen) claims identified in part 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;

(2) *In Claim No. 00800, referred to in part B of the attached Schedule, the Commission*

decides that

The claimant has established a right of use over the claimed property, or such part thereof as specified in the respective individual decision;

(3) *In each of the 14 (fourteen) claims identified in paragraphs 1 and 2, the Commission*

orders that

- (a) The claimant or the property right holder, as the case may be, be given possession of the claimed property or be given possession of the associated land parcel on which the commercial property stood, as the case may be;*
- (b) Any other person unlawfully occupying the property vacate the same within 30 (thirty) days of the delivery of this order; and*
- (c) Should any other person unlawfully occupying the property fail to comply with the order to vacate within the time stated, they shall be evicted from the property.*

- (4) *In the 32 (thirty-two) claims identified in parts C and D of the attached Schedule, the Commission decides that the claim be dismissed;*
- (5) *In Claim Nos. 00147, 13071, 28181, 38687, and 92709, referred to in parts E and F of the attached Schedule, the Commission decides that the claim be refused;*
- (6) *The Commission additionally decides that Claim Nos. 00111, 10755, 13071, 15046, 22232, 24519, 26414 and 92709 be dismissed insofar as the Claimant seeks compensation for damage to, or for loss of use of, the claimed property; and*
- (7) *In cases in which there is more than one owner, the above decisions and order 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.)¹

5. The Commission held its thirty-fourth session from 16 to 18 April 2013 in Prishtinë/Priština. A total of 69 commercial property claims were submitted by the Executive Secretariat of the KPA (the "Executive Secretariat") to the Commission at its thirty-fourth session, together with supporting documentation, claims processing reports, verification reports and other relevant information. Two claims which had been presented to the Commission were withdrawn by the Executive Secretariat during the session. In sum, a total of 67 commercial 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. The present decision covers the 51 claims for commercial property identified in parts A, B, C, D, E and F of the attached Schedule. The remaining sixteen commercial property claims are covered by decision KPCC/D/C/201/2013. The present decision deals with claims for commercial properties which, at the time of their notification, were not damaged or, even if damaged, were capable of repair, whereas decision KPCC/D/C/201/2013 deals with claims for commercial properties which were found to be entirely destroyed.

8. In each of these claims, except for Claim Nos. 00111, 00175, 00800, 01033, 01051, 06836, 10529, 10644, 10755, 15046, 44321 and 51018, the claimant seeks the resolution of an ownership claim. In Claim Nos. 00111, 00175, 00800, 01033, 01051, 06836, 10529, 10644, 10755, 15046, 44321 and 51018, the Claimant seeks confirmation of a use right over the claimed property.

9. The Commission notes that the 32 claims identified in parts A, C and E of the attached Schedule are uncontested in the sense that at the time the claimed properties were notified there was no evidence of illegal occupation or use of these properties by any person or, even if there was such evidence, no party has contested the validity of the claim

¹There 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 all its 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 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.

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 any later stage during the proceedings, pursuant to section 10.3 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079. Based on the information provided by the Executive Secretariat, the Commission is satisfied that the Executive Secretariat has made reasonable efforts to notify the claimed properties, the persons who maybe currently occupying the properties, and any other persons who may have a legal interest in such properties, as required by section 10.1 of UNMIK/REG/2006/50 and section 10.1 of Law No. 03/L-079. Accordingly these claims must be considered uncontested.

10. The Commission further notes that the nineteen claims identified in parts B, D and F are contested in the sense that the party 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. Pursuant to section 10 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079, each of the Respondents has been provided with a copy of the claim submitted by the respective claimant. In accordance with section 3.5 of Annex II to UNMIK/AD/2007/5 as adopted by Law No. 03/L-079, the claimants have been provided with a copy of the documents submitted by the respective Respondent in response to the claim. Both parties in each case have thus been given an opportunity to comment on the evidence and information provided by the other party, and any such comment or information has been taken into account during the processing and adjudication of the claim.

I. Uncontested claims – granted

11. The Commission notes that in the eleven claims identified in part A of the attached Schedule, the claimants have submitted various types of documents in support of the ownership claims, including inheritance decisions, possession lists, certificates for immovable property right, contracts on sale and allocation decisions. The Commission is satisfied that inheritance decisions confirming an ownership interest indeed constitute proof of ownership. The other documents submitted by claimants including contracts involving property transactions, create a rebuttable presumption of ownership. No evidence has been received or obtained by the Secretariat *ex officio* which would rebut the presumption of ownership. Consequently the Commission is satisfied that the documents submitted prove the claimants’ ownership over the claimed properties. The documents have been verified as being valid by the Executive Secretariat, as relevant. Many claimants have also submitted additional supporting documents, including tax decisions, witness statements, copies of plans and cadastral decisions.

12. In Claim Nos. 06194, 10022, 10256, 11551, 13089, 14433 and 44076, referred to in part A of the attached Schedule, the Claimants have filed the claim in the capacity of the property right holder. In light of the Commission’s findings in paragraph 11 above, all of these claims stand to be granted.

13. In Claim Nos. 08086, 10615, 10616 and 33507, referred to in part A of the attached Schedule, the Claimants have filed the claims in their capacity of a family household member of the property right holder pursuant to section 1.2 of Annex II of UNMIK/ADM/DIR/2007/5 as adopted by Law No. 03/L-079. Section 1 of the Administrative Direction as adopted by Law No. 03/L-079 defines “Member of Family Household” to include “the spouse, children (born in and out of wedlock or adopted) and other persons whom the property right holder is obliged to support in accordance with the

applicable law, or the persons who are obliged to support the property right holder in accordance with the applicable law, regardless of whether or not that person resided in the property together with the property right holder.” The Commission has determined that, under the applicable law, this definition covers, in addition to spouses and children, parents, brothers, sisters, grandparents and grandchildren of the property right holder. All of the claimants fall within the definition of family household member. Accordingly a decision confirming the property right in favour of the property right holder also stands to be granted in each of these claims as set out above.

II. *Contested claims – granted*

1. *Claim No. 00800*

14. Claim No. 00800, referred to in part B of the attached Schedule, has been filed by the Claimant in his capacity as the property right holder. The Claimant seeks confirmation of a use right over the claimed property, a commercial structure located in the Municipality Mitrovicë/Mitrovica. In support of the claim, the Claimant submitted *inter alia* a contract on lease concluded with the Hunting Association “Trepca,” which has participated as the Respondent to this claim. Pursuant to the lease contract, the Claimant was conferred with a permanent use right over the claimed property. The lease contract could not be located by the Executive Secretariat in the respective archive of the Respondent. However, the existence of the contract was indirectly confirmed by the competent administrator of the Respondent when contacted by the Executive Secretariat; the administrator stated that the Claimant had indeed been paying the rent until 1999 when he was displaced from the claimed property.

15. The Respondent claims a legal right over the claimed property. However, it has failed to submit any evidence in support of its allegation. On the contrary, the Respondent confirmed that the Claimant had paid monthly rent until the 1998-99 conflict, which in the Commission’s view constitutes sufficient evidence to establish the existence of the lease contract.

16. Based on the evidence before it, and in the absence of a valid defense on the part of the Respondent, the Commission finds that the claim stands to be granted.

2. *Claim No. 26473*

17. Claim No. 26473, referred to in part B of the attached Schedule, has been filed by the Claimant in his capacity as the property right holder. The Claimant seeks confirmation of ownership and repossession. In support of the claim, the Claimant submitted a contract on joint construction concluded with Public Housing Enterprise in 1990; according to this contract, the Claimant acquired ownership of the claimed property from the Public Housing Enterprise. The contract has been verified by Executive Secretariat as being genuine.

18. The Respondent initially claimed a legal right over the claimed property. However, he subsequently acknowledged the ownership of the Claimant.

19. Based on the evidence before it, and in the absence of a valid defense on the part of the Respondent, the Commission finds that the claim stands to be granted.

3. *Claim No. 44995*

20. Claim No. 44995, referred to in part B of the attached Schedule, has been filed by the Claimant in his capacity as the property right holder. In support of the claim, the Claimant submitted a positively verified possession list identifying the alleged property right holder as the rightful owner of the claimed property.

21. The Respondents claim a legal right over the claimed property. However, they have failed to submit any evidence in support of their allegation.

22. Based on the evidence before it, and in the absence of a valid defense on the part of the Respondents, the Commission finds that the claim stands to be granted.

III. *Claims dismissed*

23. Pursuant to section 11.4 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079, the Commission shall dismiss the whole or part of a claim where:

- (a) The claimant has failed to file a complete claim in accordance with the procedures set out in the Regulation;
- (b) The claim is not within the scope of jurisdiction of the KPA; and
- (c) The claim has previously been considered and decided in a final administrative or judicial decision.

24. Claims which are dismissed as falling outside the Commission's jurisdiction or for procedural reasons and not on account of the merits of the claim may be capable of resolution through the local courts, subject to the applicable law. In such claims the Commission's decision does not constitute a *res judicata*. Section 3.2 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079 confirms the claimants' right to pursue before courts of competent jurisdiction claims that do not fall within the mandate of the Commission, as set out in section 3.1 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079. (See also section 8.1 of Annex III of UNMIK/ADM/DIR/2007/5 concerning the Commission's authority to refer issues arising in connection with a claim which are not within its jurisdiction, to a competent local court or administrative board or tribunal).

25. Pursuant to section 3.1 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079, the jurisdiction of the Commission is limited to property claims that are conflict-related in the sense that they involve circumstances directly related to or resulting from the armed conflict that occurred between 27 February 1998 and 20 June 1999, where the claimant is not now able to exercise such property rights. In order to establish whether or not a claim falls within its jurisdiction, the Commission must determine whether the claimant or the property right holder, as the case may be, has been displaced from the claimed property, or has lost possession or control over such property, as a consequence of the conflict. The Commission must also establish whether or not the claimant or the property right holder, as the case may be, is now able to exercise his or her rights over the claimed property.

1. *No claim over immoveable property*

26. In the 21 claims identified in parts C and D of the attached Schedule, the claims have been filed by the respective claimant in his or her capacity as the alleged property right holder either in person or through an authorized natural person or as the case may be in his or her capacity as a family household member of the property right holder.

27. In all of these claims the Commission finds, on the basis of the evidence before it, that the respective property right holder acquired only a temporary use right over the claimed property and was therefore only authorized to build a moveable structure on the claimed properties. Accordingly, all of these claims relate to moveable property rather than to private immovable property. Pursuant to section 3.1 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079, the Commission's jurisdiction is limited to claims for repossession of private immovable property, including commercial property. Accordingly, these claims stand to be dismissed.

28. The Commission's decision is without prejudice to any right that the Claimants may have to seek compensation before local courts for any investments they may have made in the claimed properties or the resulting increase in their value.

2. No loss of possession as a result of the conflict

29. In Claim Nos. 14122 and 00048, referred to in part D of the attached Schedule, the claims have been filed by the Claimants in their capacity as the alleged property right holder. In both claims the Claimants initially claimed that they or their families lost the claimed properties as a result of the 1998–99 conflict. However, in Claim No. 00048 the Claimant later advised the Executive Secretariat that he only purchased the claimed property after the conflict. In Claim No. 14122, the Claimant conceded that the alleged property right holder was in possession of the properties only until 1952, when the claimed property was nationalized. The alleged loss of possession therefore cannot be considered to have resulted from the 1998-99 conflict.

30. Accordingly, both claims fall outside the mandate of the Commission and stand to be dismissed.

3. Voluntary disposal or ability to exercise property right

31. In the eight claims identified in parts C and D of the attached Schedule, the claims have been filed by the respective claimant in his or her capacity as the alleged property right holder either in person or through an authorised natural person or as the case may be in his or her capacity as a family household member of the property right holder. In all of these claims the claimants initially claimed that they or their families lost the claimed properties as a result of the 1998–1999 conflict. However, the claimants advised the Executive Secretariat that they or their families, as the case may be, sold the claimed properties to a third party after the conflict based on a valid contract on sale. In these circumstances, the Commission finds that in these claims the claimant or the alleged property right holder, as the case may be, did not lose possession as a result of the 1998-1999 conflict, but rather as a result of a voluntary sales transaction after the conflict, which shows that these claimants or these property right holders, as the case may be, are now able to exercise their property rights. Consequently, the claims fall outside the Commission's jurisdiction and stand to be dismissed.

4. Lawsuit pending prior to the date of entry into force of UNMIK/REG/2006/50

32. Claim No. 00778 has been filed by the Claimant in his capacity as the alleged property right holder. The Claimant seeks confirmation of ownership over the claimed property and repossession. The evidence submitted by the Claimant and verified by the Executive Secretariat shows, however, that the Claimant has filed in 2000 a lawsuit before the Municipal Court in Mitrovicë/Mitrovica seeking confirmation of his alleged property

right over the claimed property. The Commission notes that, by judgment of the Municipal Court in Mitrovicë/Mitrovica of 2002 the Claimant's claim has been refused, and that the Claimant has subsequently filed an appeal before the District Court in Mitrovicë/Mitrovica in 2003. The appeal process is still pending. Pursuant to section 18 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079, the Commission's jurisdiction is excluded if judicial proceedings in respect of the claim have been commenced prior to 16 October 2006, the date on which UNMIK/REG/2006/50 entered into force. This is the case here, and accordingly the claim stands to be dismissed.

IV. Claims refused

1. Claim No. 00147

33. Claim No. 00147, referred to in part E of the attached Schedule, has been filed by the Claimant in his capacity as the alleged property right holder. The Claimant seeks confirmation of ownership right over the claimed property and repossession.

34. In support of his claim, the Claimant submitted a cadastral plan from 1986, which however, does not identify the Claimant as the rightful owner of the claimed property. In further support, the Claimant submitted several electricity and phone bills which only show that the Claimant used the claimed property in the 1990s. The Commission considers that this evidence is insufficient to prove the alleged property right holder's ownership right.

35. In the absence of any valid evidence in support of the claim, the Claimant has failed to establish a property right over the claimed property. Accordingly, the claim stands to be refused.

2. Claim No. 28181

36. Claim No. 28181, referred to in part E of the attached Schedule, has been filed by the Claimant in his capacity as the alleged property right holder. The Claimant seeks confirmation of ownership right over the claimed property and repossession. In support of his claim, the Claimant submitted a purchase contract from 1997 according to which the alleged property right holder purchased the claimed property from a third party. However, the Executive Secretariat has been unable to verify the purchase contract. In further support of his claim, the Claimant submitted a request from 1997 for permission to use the claimed property, addressed to the Municipality in which the claimed property is located, as well as an offer by a third person to renovate the claimed property. However, neither one of these documents have been verified by the Executive Secretariat as being genuine either.

37. Based on the evidence before it the Commission concludes that the Claimant has failed to show ownership or any other property right over the claimed property immediately prior to or during the 1998-99 conflict. Consequently, the claim stands to be refused.

3. Claim No. 38687

38. Claim No. 38687, referred to in part F of the attached Schedule, has been filed by the Claimant in his capacity as the alleged property right holder. The claim is contested and the Respondent has expressed a legal interest in the claimed property.

39. In support of his claim, the Claimant submitted a lease contract concluded between the Claimant and a third party. However, the Executive Secretariat was unable to verify this contract as being genuine. In further support, the Claimant submitted a possession list from 1981 as well as several electricity bills. However none of these documents relate to the claimed property. The Executive Secretariat obtained *ex officio* a certificate for immovable property rights from 2002 listing the claimed property in the name of a third party. When contacted by the Executive Secretariat, the Claimant failed to submit any further evidence.

40. Based on the above, the Commission finds that the Claimant has failed to establish any property right over the claimed property. Consequently, the claim stands to be refused.

4. Claim Nos. 13071 and 92709

41. Claim No. 13071, referred to in part F of the attached Schedule, has been filed by the Claimant in his capacity as a family household member of the alleged property right holder, namely his sister. Claim No. 92709 has been filed by the same Claimant, also in his capacity as a family household member of the alleged property right holder, another sister of the Claimant. The Commission notes that the claims relate to the same claimed property. The Claimant seeks in both claims the confirmation of a co-ownership right of each property right holder, each with an ideal part of 1/3 of the claimed property.

42. In support of the claim, the Claimant submitted an inheritance decision from 2009 pursuant to which both alleged property right holders inherited an ideal part of 1/3 of the claimed property. In further support of the claim, the Claimant submitted a certificate on immovable property rights from 2011 identifying each alleged property right holder as co-owner over an ideal part of 1/3 of the claimed property. The inheritance decision as well as the certificate on immovable property rights have been verified by the Executive Secretariat as being genuine.

43. The Respondent claims legal rights over the claimed property. He asserts that his family purchased the claimed property from the Claimant's family in 1991, and that his family has been in uninterrupted possession until the conflict in 1999. In support of his assertion, the Respondent submitted a signed but uncertified purchase contract from 1991 concluded between the brother of the Respondent as buyer and the Claimant's family as seller of the claimed property. The Respondent explained that the transfer of the claimed property could not be formalized since inter-ethnic transactions were prohibited under the discriminatory legislation on immovable property transactions applicable at the time.

44. The Claimant denies that the claimed property has ever been sold, however he admitted that his family has not been in possession of the claimed property since 1972, alleging that his family had only rented the claimed property to the Respondent's family. The Claimant however failed to submit any evidence in support of his allegation.

45. The Commission notes that the certificate for immovable property rights from 2011, updated on the basis of the inheritance decision, identifies the Claimant as the owner of the claimed property. In the Commission's view, however, the inheritance decision must be considered erroneous as it ignores the existence of the purchase contract concluded between the Claimant's family and the Respondent's family according to which the Respondent's family acquired ownership over the claimed property. The Commission considers the informal purchase contract, even in the absence of court certification, is valid since it was merely the discriminatory applicable law at the time of the conclusion of the

contract that prevented the parties from obtaining a proper certification. The Commission notes that the relevant Law on Changes and Supplements on the Limitation of Real Estate Transaction has subsequently been repealed with retroactive effect by UNMIK with UNMIK/REG/1999/10 dated 13 October 1999. The informal purchase contract therefore creates a presumption of ownership in favour of the Respondent. The Claimant's unsubstantiated submission challenging the existence of the purchase contract is insufficient to rebut this presumption.

46. Based on the above, the Commission finds that the Claimant has failed to establish any property right over the claimed property. Consequently, the claims stand to be refused.

B. Claims for compensation

47. In the claims identified in the relevant columns of parts of the attached Schedule, the claimants also seek, in addition to ownership, compensation for physical damage to, or for loss of use of, the claimed property. Under UNMIK/REG/2006/50 as adopted by Law No. 03/L-079 the Commission has no jurisdiction over such claims. Accordingly these claims must be dismissed.

C. Concluding remarks

48. 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.

49. In a number of claims, the claimant had filed a claim for repossession of the same property with the Housing and Property Directorate, which claim had subsequently been granted by the Housing and Property Claims Commission ("HPCC"). The Commission notes that the causes of action available for claimants before the present Commission and the HPCC, respectively, and accordingly the jurisdiction of the two Commissions, are not identical. Accordingly the decisions of the HPCC do not necessarily constitute *res judicata* before the present Commission, although in certain circumstances this may be the case. Moreover, in cases where the HPCC granted an eviction order in favour of the claimant, the Commission does not consider that such an order constitutes a bar for this Commission to issue a fresh eviction order in cases where the property is unlawfully occupied.

50. 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.



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.

The Supreme Court of Kosovo may levy court fees for the appeal procedures.

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

KPA10256	KPA10615	KPA10616	KPA13089	KPA14433	KPA44076	KPA06194
KPA08086	KPA11551	KPA10022	KPA33507			

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

KPA00800	KPA26473	KPA44995				
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Spreadsheet /Lista /Prilog
Part C/Pjesa C/Deo C

KPA08904	KPA10644	KPA10755	KPA01033	KPA06531	KPA15046	KPA34239
KPA44321	KPA50145	KPA51018	KPA00141	KPA01224	KPA14502	KPA00111
KPA01051	KPA10529	KPA00175	KPA01407	KPA31029		

Spreadsheet /Lista /Prilog
Part D/Pjesa D/Deo D

KPA00033	KPA26414	KPA44947	KPA00048	KPA00778	KPA06836	KPA22232
KPA29691	KPA13258	KPA14122	KPA24519	KPA25779	KPA25012	

Spreadsheet /Lista /Prilog
Part E/Pjesa E/Deo E

KPA00147	KPA28181					
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Spreadsheet /Lista /Prilog
Part F/Pjesa F/Deo F

KPA38687	KPA13071	KPA92709				
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