



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/R/197/2013  
DECISION DATE: 18/04/2013

Commissioners Heiskanen (Chairperson),  
Vokshi and Wühler

## ORDER

*(1) In the 31 (thirty-one) claims, identified in parts A, B, C and E 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 the 7 (seven) claims, identified in part D of the attached Schedule, the Commission*

*decides that*

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

*(3) In Claim Nos. 11619 and 34420, referred to in part F of the attached Schedule, and in Claim No. 21718, referred to in part G of the attached Schedule, the Commission*

*decides that*

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

*(4) In Claim No. 28485, referred to in part H of the attached Schedule, the Commission*

*decides that*

*The Claimant has established ownership over the claimed property and a use right over the underlying land as specified in the respective individual decision;*

*(5) In the 42 (forty-two) claims identified in paragraphs (1), (2) and (3) above, except for Claim Nos. 00963, 07963, 29892, 34420, 53169, and 54945, 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) Any person unlawfully occupying the property vacate the same within 30 (thirty) days of the delivery of this order;*

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

*(6) In each of the claims identified in the relevant columns of part A and E 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*

*(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 or the property right holder, as the case may be, 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.)

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 favor 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>

4. The Commission held its thirty-fourth session from 16 to 18 April 2013 in Prishtinë/Pristina. A total of 182 residential 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. One residential property claim which had been presented to the Commission was referred by the Commission back to the Executive Secretariat during the session, and two residential property claims which had been presented to the Commission were withdrawn by the Executive Secretariat during the session. In addition, the Commission suspended the consideration of one residential property claim pending the holding of an oral hearing. In sum, a total of 178 residential property claims were resolved by the Commission during the session.

5. 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*

6. The present decision applies to the 42 claims which are listed in parts A, B, C, D, E, F and G of the attached Schedule. The remaining 136 claims are covered by decisions KPCC/D/R/198/2013 and KPCC/D/R/199/2013.

7. A total of 38 of the 42 claims covered by this decision have not previously been decided by the Commission, while the remaining four of these claims were the subject of an earlier Commission decision. However the earlier decisions in these four claims were overturned by the Commission either on account of an incorrect notification of the claimed properties during claims processing by the Executive Secretariat or on account of other

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<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 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.

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 property and correction of the other processing errors. Evidence and information provided by any respondents to the claim or any current occupants of the claimed properties is taken into account by the Commission in the re-determination of the claims. In the claims in which previous decisions have been overturned by the Commission, the Executive Secretariat has written to each claimant advising them of the notification error and informing them that their claims will be re-determined following correct notification of the claimed property. The claimants, as well as the relevant cadastral authorities, have been advised that the previous Commission decisions are invalid and cannot be used for the purposes of any legal transaction.

8. In 39 of the total of 42 claims covered by the present decision the claimants seek the resolution of an ownership claim. In the remaining three claims, Claim Nos. 11619, 34420 and 21718, the Claimants seek the resolution of a use right claim over the claimed property. All of these claims relate to residential properties, including, as the case may be, the associated land. The present decision deals with claims for residential properties which, at the time of their notification, were found not to be entirely destroyed.

9. All 34 claims referred to in parts A, B, C, D and H of the Schedule attached to this decision are uncontested ownership claims. Claim Nos. 11619 and 34420, referred to in part F of the Schedule, are uncontested claims for a use right. These claims 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 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. Decisions taken in claims that were incorrectly notified have been overturned by the Commission to ensure correct notification of the property and provide any persons who may have a legal interest in the property with an opportunity to respond to the claim pursuant to section 10.1 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079. These claims are identified in the relevant columns in parts A, B and D of the attached Schedule. The Executive Secretariat has notified claims in a variety of ways including through the physical notification of the property and through notification of the property via publication in gazette and newspapers, through local municipal authorities, municipal courts, and local village leaders and through other relevant institutions in Kosovo and Serbia. 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 may be 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 as adopted by Law No. 03/L-079. Accordingly these claims must be considered uncontested.

10. The five claims referred to in part E of the attached Schedule are contested ownership claims and the one claim referred to in part G of the attached Schedule is a contested use right claim in the sense that the party or the 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.

B. *Claims granted*

1. *Uncontested ownership claims*

11. The Commission notes that the claimants have submitted various types of documents in support of the ownership claims, including inheritance decisions and certificates of immovable property rights. The Commission is satisfied that inheritance decisions and certificates of immovable property rights indeed constitute proof of ownership of the claimed property. The claims identified in parts A, B, C and D of the attached Schedule are uncontested and no evidence has been received or obtained by the Secretariat *ex officio* which would rebut the presumption of ownership. The documents have been verified as being valid by the Executive Secretariat, as relevant.

12. In the fifteen ownership claims identified 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, these claims stand to be granted. In Claim No. 17907, referred to in part A of the attached Schedule, the Claimant filed the claim in his capacity as the alleged property right holder. In support of his claim, the Claimant submitted a possession list from 1985 listing the Claimant as owner of the claimed property. The possession list has been positively verified by the Executive Secretariat. The Commission notes that the Claimant admits to have concluded a lease agreement with the current occupant after the conflict. However, the lease agreement expired in March 2013. When contacted by the Executive Secretariat, the current occupant did not dispute the expiry of the lease agreement. In light of above, the Commission finds that the claim stands to be granted in favor of the Claimant, as set out above.

13. In the four claims identified in part B of the attached Schedule, the claimants have filed the claim in the 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 claimants fall within the definition of family household member. Accordingly a decision confirming the property right in favor of the property right holder stands to be granted in these claims, as set out above.

14. In the seven claims referred to in part C of the attached Schedule, the claimants were not property right holders at the date of loss of possession of the claimed property, but have adduced evidence of having subsequently succeeded to the respective ownership right by virtue of inheritance. The claimants must be considered as having succeeded to all the rights belonging to an owner, including the right to claim for confirmation of ownership and for repossession in the present proceedings. The claims therefore stand to be granted.

15. In the seven claims identified in part D of the attached Schedule, the claimants were not the property right holder at the date of loss of possession of the claimed property but assert to having succeeded to the property right. In each of these claims the claimant has established that she or he is a family household member of the deceased property right holder. However, no valid inheritance decision or other documentary evidence has been submitted by the claimants that would establish any of the claimants as being an heir to the claimed property, nor has the Executive Secretariat been able to locate any such documents. Accordingly a decision confirming the property right in favor of the deceased property right

holder over the claimed property stands to be granted in each of these cases, as set out above. The Commission's decision with respect to all seven claims identified in part D of the attached Schedule is without prejudice to the determination by the competent court as to how heirs will succeed to the property right of the deceased.

16. In Claim No. 28485, referred to in part H of the attached Schedule, the Claimant seeks in his capacity as the alleged property right holder, confirmation of ownership of the claimed property, a residential property located on land parcel No. 1780/2. The Claimant submitted *inter alia* a positively verified allocation decision issued by the Municipality of Istog from 1964 pursuant by which the Claimant's father has been conferred with the right to build the claimed property on land parcel No. 1780/2. In addition, the Executive Secretariat obtained *ex officio* an updated certificate for immovable property rights listing the Claimant as the rightful user of land parcel No. 1780/2, as successor to the use right by virtue of inheritance as evidenced by a positively verified inheritance decision from 2011. The Commission notes that the aforementioned certificate for immovable property rights classifies land parcel No. 1780/2 as socially owned urban construction land. It follows from this classification as well as the allocation decision that the Claimant has been permitted to build a residential structure on the allocated land parcel and to obtain ownership over any such structure, whereas the Claimant respectively his father only obtained a use right over the land underlying such structure.

17. Based on the evidence before it, the Commission finds that the Claimant has established ownership over the claimed property and a use right over the associated land.

2. *Uncontested use right claims*

a. *Claim No. 11619*

18. Claim No. 11619, referred to in part F of the attached Schedule, has been submitted by the Claimant in his capacity as the alleged property right holder. The Claimant seeks confirmation of a use right over the claimed property and repossession. In support of the claim, the Claimant submitted *inter alia* an allocation decision from 1998 whereby the Claimant was granted a permanent use right over the claimed property. In further support of the claim, the Claimant submitted a contract on lease based on the aforementioned allocation decision and concluded for an unlimited period of time. The allocation decision and the contract have been positively verified by the Executive Secretariat.

19. In light of the above, the Commission finds that the claim stands to be granted in favor of the Claimant.

b. *Claim No. 34420*

20. Claim No. 34420, referred to in part F of the attached Schedule, has been submitted by the Claimant in his capacity as a family household member of the alleged property right holder, namely her father. The Claimant seeks the confirmation of the property right holder's use right over the claimed property and repossession. In support of the claim, the Claimant submitted *inter alia* an allocation decision from 1993 issued by the Development Fund of the Republic of Serbia, and a contract on lease from 1993 concluded between the alleged use right holder and the Development Fund of the Republic of Serbia. These documents have been positively verified by the Executive Secretariat.

21. The Commission notes that the claim relates to a property which has been administered by the Executive Secretariat as an abandoned property and which was

subsequently occupied by a third person pursuant to a rental agreement concluded between the occupant's husband and the Executive Secretariat. Accordingly, the claim stands to be granted in favor of the Claimant and an eviction order issued, subject to the provision of a 60 days' notice to the current lawful occupant as required by the rental agreement.

3. *Contested ownership claims*

22. Claim Nos. 11696, 11741, 14044, 24390 and 42043, referred to in part E of the attached Schedule, are contested in the sense that the party or the 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 UNMIKD/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.

23. Based on its review of the evidence before it, the Commission finds that the claims identified in part E of the attached Schedule stand to be granted for the reasons set out below.

a. *Claim No. 11696*

24. Claim No. 11696 has been submitted by the Claimant in his capacity as a family household member of the alleged property right holder, namely his father. In support of the claim, the Claimant submitted *inter alia* a certificate of immovable property rights listing the alleged property right holder as owner of the claimed property. The certificate of immovable property rights has been positively verified by the Executive Secretariat.

25. The Respondent claims legal rights over the claimed property, however he failed to submit any evidence in support of this allegation.

26. Based on the evidence before it, and in the absence of a valid defence by the Respondent, the Commission finds that the claim stands to be granted in favour of the Claimant.

b. *Claim No. 11741*

27. Claim No. 11741 has been submitted by the Claimant in his capacity as the alleged property right holder. The Claimant seeks confirmation of ownership and repossession. In support of the claim, the Claimant submitted *inter alia* a purchase contract from 1999 concluded between the Development Fund of the Republic of Serbia as seller and the claimant as buyer. The contract has been positively verified by the Executive Secretariat.

28. The Respondent claims legal rights over the claimed property. However, he did not submit any evidence in support of his defense and merely stated that he was interested in purchasing the claimed property.

29. Based on the evidence before it, and since the Respondent has failed to establish a valid defence, the Commission concludes that the claim stands to be granted in favour of the Claimant.

*c. Claim No. 14044*

30. Claim No. 14044 has been submitted by the Claimant in his capacity as the alleged property right holder. The Claimant seeks confirmation of ownership and repossession. In support of the claim, the Claimant submitted a purchase contract from 1993 concluded between the Claimant as buyer and the company "Sharr" as seller. The contract has been positively verified by the Executive Secretariat.

319. The Respondent claims legal rights over the claimed property. However, he did not submit any evidence in support of his defense and merely stated that he was claiming rights based on his humanitarian needs.

32. Based on the evidence before it, and since the Respondent has failed to establish a valid defence, the Commission concludes that the claim stands to be granted in favour of the Claimant.

*d. Claim No. 42043*

33. Claim No. 42043 has been filed by the Claimant in his capacity as the property right holder. The Claimant seeks confirmation of co-ownership and repossession of the claimed property, land parcel No. 318. In support of his claim, the Claimant submitted a possession list and certificate of immovable property rights identifying the claimed property in the name of his father. The Executive Secretariat obtained *ex officio* an inheritance decision pursuant to which the Claimant inherited from his father an ideal part of 1/5 over land parcel No. 318/4.

342. When contacted by the Executive Secretariat, the Claimant confirmed the validity of the inheritance decision, stating that the respective land parcel No. 318 had been sub-divided as parts of the claimed property had been sold prior to the death of his father in 2007.

35. The Respondent claims to have legal rights over the claimed property. However, the Respondent has failed to provide any evidence to support his assertion.

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

*e. Claim No. 24390*

37. Claim No. 24390 has been submitted by the Claimant in his capacity as the alleged property right holder. The Claimant seeks confirmation of ownership and repossession. In support of the claim, the Claimant submitted a purchase contract from 1995 showing that the Claimant's husband purchased the claimed property from a third party. The contract was certified by the Municipal Court of Viti/Vitina in 1996, and has been positively verified by the Executive Secretariat. The Claimant also submitted an inheritance decision from 2001 according to which the Claimant inherited the claimed property from her husband. The decision has been positively verified by the Executive Secretariat.

38. The Respondent claims legal rights over the claimed property, asserting that he purchased the claimed property based on an informal purchase contract. In support of this assertion the Respondent submitted as evidence four witness statements which confirm the Respondent's statement of having purchased the claimed property. The Respondent, however, failed to submit any further documentary evidence. The Claimant denied having sold the claimed property to the Respondent and stated that he merely gave the keys to the claimed property to the Respondent in order for the Respondent to take care of it in the



Claimant's absence. The Claimant also submitted four witness statements which confirm the Claimant's assertion of not having sold the claimed property to the Respondent.

39. The Commission finds that on basis of the submitted documentary evidence by the Claimant, namely the purchase contract and inheritance decision, which both have been positively verified by the Executive Secretariat, the Claimant has sufficiently proven his ownership right over the claimed property. The Respondent has failed to submit any documentary evidence in support of his assertion. In these circumstances, the claim stands to be granted in favour of the Claimant.

#### 4. *Contested use right claim*

40. Claim No. 21718, identified in part G of the attached Schedule, has been filed by the Claimant in his capacity as the alleged property right holder. The Claimant seeks confirmation of a use right and repossession. In support of his claim, the Claimant submitted a certificate for the immovable property rights from 2008 listing the Claimant as a use right holder of the claimed property. The certificate has been positively verified by the Executive Secretariat.

41. The Respondent claims legal rights over the claimed property asserting that he uses the claimed property with the permission of the Claimant. However, the Respondent did not submit any evidence of his alleged legal right.

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

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43. In a number of claims the claimants or the property right holders, as the case may be, left the property outside the period 27 February 1998 and 20 June 1999, referred to in section 3 of UNMIK/REG/2006/50 as adopted by Law No. 03/L-079. The Commission has determined that, even though the date of loss in these claims fell outside the above period, the loss of property right in each case occurred in circumstances directly related to or resulting from the armed conflict that occurred in Kosovo between 27 February 1998 and 20 June 1999, as required by section 3 of UNMIK/REG/2006/50 and section 3 of Law No. 03/L-079.

44. In Claim Nos. 00963, 53169 and 54945, referred to in the respective column in the attached Schedule, the Claimants state that they do not seek an eviction order, as the current occupants are using the claimed property with their permission. In Claim Nos. 07963 and 29892, referred to in the respective column in the attached Schedule, the Claimant does not seek repossession as he has been living in the claimed property since 2009 and 2004 respectively. In these circumstances, an order confirming the property right in favour of the Claimant or the property right holder, as the case maybe, stands to be granted without an eviction order or any other form of ancillary relief as set out above.

45. In view of the foregoing, the Commission is satisfied, based on the evidence before it, that in each of the claims covered by this decision:

- (a) the claimant or the property right holder as the case may be had an ownership right or use right as the case may be in respect of the claimed property, or such part thereof as specified in the respective individual decision;

(c) the claimant or the property right holder, as the case may be, in each case is not now able to exercise their property 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.

### C. *Claims for compensation*

46. In the claims identified in the relevant 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 this aspect of the claims for compensation must be dismissed.

### D. *Concluding remarks*

47. In view of the foregoing, the Commission finds that the claims listed in parts A, B, C, D, E, F, G and H of the attached Schedule succeed and directs that an order be made in respect of each claim as set out above.

48. 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. Thus 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.

49. The Commission’s above decisions and orders also apply, where appropriate, to any associated property, *i.e.* any land or buildings owned or used by the claimant or the property right holder, as the case may be, which form a unit with the claimed residential property.

50. Pursuant to section 8.5 of Annex III of UNMIK/ADM/DIR/2007/5 as adopted by Law No. 03/L-079, the Commission may in its decision determine any property right in the name of the property right holder and make an order for possession in favor of the claimant. When the property right holder is alive, the Commission grants the right of possession in the name of the property right holder. When the property right holder is deceased and the death is proven but no valid inheritance decision has been provided, the Commission grants possession to the claimant as a family household member of the property right holder. In cases where the property right holder dies after filing the claim and there is no family household member claimant, the Commission grants the right to possession in the name of the deceased property right holder. The right to possession is granted pursuant to the applicable provisions of the law governing family relations in Kosovo, which includes the administration of family property. The Commission’s decision on the entitlement to possession of property by the family household member claimant is without prejudice to the rights of other family household members or other heirs of the property right holder who have not filed claims with the KPA but who may have a joint right to possession of the property pursuant to the applicable law or as a consequence of future inheritance proceedings (section 8.5 of Annex III of UNMIK/ADM/DIR/2007/5 as adopted by Law No. 03/L-079).

51. 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-079 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.

Further information on the appeals procedure 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

KPA00963	KPA14117	KPA16086	KPA27899	KPA28748	KPA29160	KPA35846
KPA40926	KPA07963 REP	KPA27901	KPA50356	KPA17907	KPA44894	KPA47549
KPA34562						

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

KPA01322	KPA14015	KPA53169	KPA29528			
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Spreadsheet /Lista /Prilog  
Part C/Pjesa C/Deo C

KPA06607	KPA27928	KPA31146	KPA33806 REP	KPA11584	KPA28485	KPA06055
KPA29892						

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

KPA15374	KPA15726	KPA41561	KPA28462 REP	KPA54945	KPA35208	KPA39733
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Spreadsheet /Lista /Prilog  
Part E/Pjesa E/Deo E

KPA11696	KPA11741	KPA42043	KPA14044	KPA24390		
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Spreadsheet /Lista /Prilog  
Part F/Pjesa F/Deo F

KPA11619	KPA34420					
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Spreadsheet /Lista /Prilog  
Part G/Pjesa G/Deo G

KPA21718						
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Spreadsheet /Lista /Prilog  
Part H/Pjesa H/Deo H

KPA28485						
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