

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

ERNIE DAVE TURNER
LINA TURNER
201 Teresita Boulevard
San Francisco 27, California

Claim No. HUNG-20,016

Decision No. HUNG- 667

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

PROPOSED DECISION

This is a claim under Section 303(2) of the International Claims Settlement Act of 1949, as amended, for \$9,100.00 by ERNIE DAVE TURNER and LINA TURNER, nationals of the United States since their naturalization in the United States on November 18, 1946 and April 22, 1946, respectively, for nationalization of property in Hungary, and for loss of rental income therefor.

The Commission finds that each of the claimants owned an undivided one-half interest in certain portions of community apartment buildings described as 26b Bercsenyi utca, Budapest XI, 1st floor No. 2, and 87 Bartok Bela ut, Budapest XI, 2nd floor No. 2b, which were nationalized without compensation by the Government of Hungary on February 17, 1952 pursuant to Hungarian Law-Decree 1952:4 tvr. (Official Gazette No. 18, February 17, 1952) The Commission further finds that the value of the property taken was five thousand seventy-one dollars and eighty-five cents (\$5,071.85); and concludes that claimants are entitled under Section 303(2) of the Act to awards totalling that amount.

The claim for loss of rent is denied, inasmuch as the property belonged to the State after February 17, 1952, rather than to the claimants. However, the claimants were entitled, on the date the property was taken, to compensation in an amount, equal to the value

of the property. Thus, they have suffered the loss of the use of the money they were entitled to receive on February 17, 1952. Such loss of use can be compensated for in terms of interest and the Commission concludes that interest should be allowed on the award at the rate of 6% per annum from the date of loss to August 9, 1955, the effective date of Section 303.

A W A R D S

Pursuant to the provisions of the International Claims Settlement Act of 1949, as amended, an award is hereby made to ERNIE DAVE TURNER in the amount of two thousand five hundred thirty-five dollars and ninety-three cents (\$2,535.93) plus interest in the amount of five hundred twenty-eight dollars and fifty-eight cents (\$528.58); and

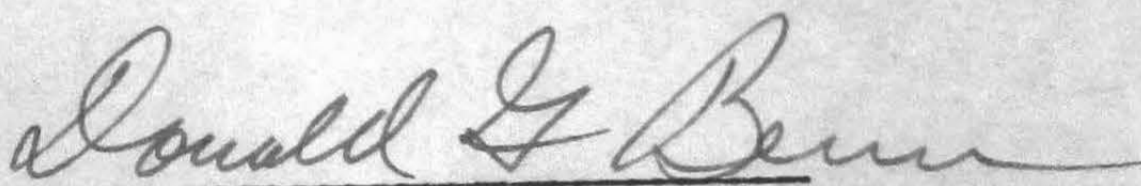
an award is made to LINA TURNER in the amount of two thousand five hundred thirty-five dollars and ninety-two cents (\$2,535.92), plus interest in the amount of five hundred twenty-eight dollars and fifty-eight cents (\$528.58).

Payment of any part of these awards shall not be construed to have divested the claimants herein, or the Government of the United States on their behalf, of any rights against the Government of Hungary for the unpaid balance of the claim, if any.

Dated at Washington, D. C.

NOV 20 1957

FOR THE COMMISSION:



Donald G. Benn, Director
Balkan Claims Division

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FINAL DECISION

The Commission issued its Proposed Decision on this claim on November 20, 1957, a certified copy of which was duly served upon the claimants. No objections or request for a hearing having been filed within twenty days after such service, and general notice of the Proposed Decision having been given by posting for thirty days, it is

ORDERED that such Proposed Decision be and the same is hereby entered as the Final Decision on this claim, and it is further

ORDERED that the awards granted therein be certified to the Secretary of the Treasury.

Dated at Washington, D. C.

JAN 16 1958

Whitney Hilliland
Pearl Pace
Henry S. Clay

COMMISSIONERS

HC *WB*
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