

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

IN THE MATTER OF THE CLAIM OF

THE ESTATE OF HELEN T. LEHOCZKY
c/o Paul N. Lehoczky
1200 West 5th Avenue
Columbus 12, Ohio

Against the Government of Hungary
Under the International Claims Settlement
Act of 1949, as amended

Claim No. HUNG-21,117

Decision No. HUNG-1359

GPO 16-72128-1

Counsel for Claimant:

R. T. Boehm, Esquire
1200 W. 5th Avenue
Columbus 12, Ohio

FINAL DECISION

The Commission issued its Proposed Decision on this claim on August 27, 1958, a copy of which was duly served upon the claimant(x). 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.

Dated at Washington, D. C.

OCT 29 1958

Paul Carter Pace
Robert L. Kunzig

COMMISSIONERS

OCT 29 1958
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[Signature]

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OF THE UNITED STATES
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

THE ESTATE OF HELEN T. LEHOCZKY
c/o Paul N. Lehoczky
1200 West 5th Avenue
Columbus 12, Ohio

Claim No. HUNG-21,117

Decision No. HUNG- 1359

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

Counsel for Claimant:

R. T. Boehm, Esquire
1200 W. 5th Avenue
Columbus 12, Ohio

PROPOSED DECISION

This is a claim against the Government of Hungary under Section 303 of the International Claims Settlement Act of 1949, as amended, by Paul N. Lehoczky, for the ESTATE OF HELEN T. LEHOCZKY, Deceased, for the loss of a life estate in a one-half interest in real property in Budapest belonging to Paul N. Lehoczky, which property was nationalized by the Government of Hungary.

Section 303 of the Act provides for certain property claims of nationals of the United States against the Government of Hungary. Implicit is the requirement, among others, for an award that the property in question or the claim arising out of the loss of, or damage to, the property be owned by the person or entity filing the claim at the time the loss occurred.

In the instant claim, HELEN T. LEHOCZKY was granted a life estate in the interest in real property owned by Paul N. Lehoczky on October 15, 1940. HELEN T. LEHOCZKY died on March 1, 1949, and her life estate, or usufruct, in the property was extinguished by her death. The real property, which had been the subject of

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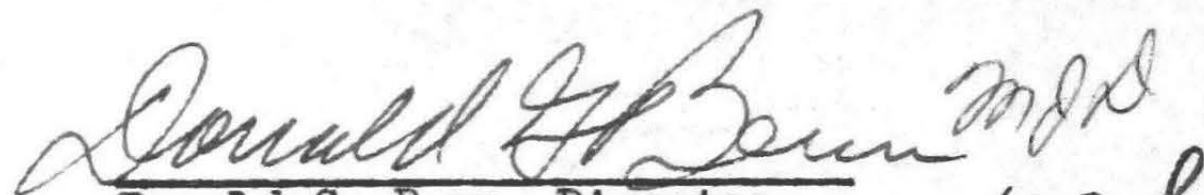
her life estate, was subsequently nationalized by the Government of Hungary pursuant to Law Decree 1952:4 tvr. of February 17, 1952.

Accordingly, the Commission finds that at the time the property of Paul Lehoczky was taken by the Government of Hungary, the ESTATE OF HELEN T. LEHOCZKY had no interest therein. The claim of the ESTATE OF HELEN T. LEHOCZKY is therefore denied.

Dated at Washington, D. C.

AUG 27 1958

FOR THE COMMISSION:


Donald G. Benn, Director
Balkan Claims Division

mgs