

IN THE MATTER OF THE CLAIM OF

ROSE LOW

Under the International Claims Settlement
Act of 1949, as amended

Claim No. HUNG-2-041

Decision No. HUNG-2-0563

PROPOSED DECISION

This claim in the asserted amount of \$30,000.00 against the Government of Hungary, under subsection 303(5), Title III of the International Claims Settlement Act of 1949, as amended, is based upon the loss of improved real property at 34 Eotvos Square, Nagykanizsa, Hungary.

Claimant, ROSE LOW, acquired United States nationality on March 18, 1958, by naturalization.

Under section 303, Title III of the International Claims Settlement Act of 1949, (69 Stat. 570 (1955)); 22 U.S.C. §§1641-1641q (1971), as amended by section (3) of Public Law 93-460, approved on October 20, 1974 (88 Stat. 1386 (1974)), and which implements certain provisions of the Hungarian Claims Agreement of March 6, 1973, (TIAS 7569), the Commission is given jurisdiction as follows:

The Commission shall receive and determine in accordance with applicable substantive law, including international law, the validity and amounts of claims of nationals of the United States against the . . . [Government of Hungary] . . . arising out of the failure to ---

(5) pay effective compensation for the nationalization, compulsory liquidation or other taking of property of nationals of the United States in Hungary, between August 9, 1955, and the date the United States-Hungarian Claims Agreement of March 6, 1973, enters into force.

Claimant, ROSE LOW, stated that her property was originally nationalized in 1951, but that she did not receive notification of the nationalization. Therefore, she requested the return of her property, and states that on December 22, 1959, her property was returned to her, and subsequently again nationalized in 1961.

In support of her claim, claimant submitted a copy of a decree of nationalization, from the City Council-Department of Finance, City of Nagykanizsa, No. 341-2/1961, which states and from which the Commission finds that the claimant owned improved real property at Eotvos Square 34, which was taken by the Hungarian State on February 21, 1961.

The claimant asserts that the improved real property had a value of \$30,000.00 at the time of loss. While the claimant has submitted no documenting evidence to establish the value of the property, a description of the property by the claimant was submitted.

On the basis of claimant's description, other evidence of record, and evidence of value of comparable property in Hungary, the Commission finds that the improved real property in Nagykanizsa belonging to claimant had a total value of \$8,100.00 and concludes that the claimant, ROSE LOW, is entitled under the terms of subsection 303(5) of the Act, supra, to compensation in such amount.

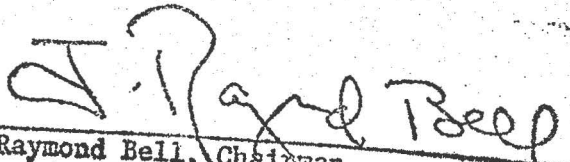
The Commission has concluded that in granting awards on claims under subsection 303(5) of the Act for the nationalization or other taking of property, interest shall be allowed at the rate of 6% per annum from the date of loss to March 6, 1973, the effective date of the Hungarian Claims Agreement. (See Claim of John Hedio Proach, Claim No. PO-3197; FCSC Dec. & Ann. 549 (1968)).

A W A R D

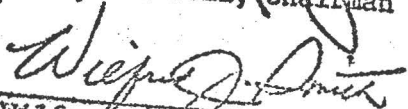
An award is hereby made to ROSE LOW in the principal amount of Eight Thousand One Hundred Dollars (\$8,100.00), with interest thereon at the rate of 6% per annum from February 21, 1961, the date when the claim arose, to March 6, 1973, the date when the Hungarian Claims Agreement entered into force, in the sum of Five Thousand Eight Hundred Forty-nine Dollars and Thirty-five cents (\$5,849.35).

Dated at Washington, D.C.
and entered as the Proposed
Decision of the Commission.

4 FEB 1976



J. Raymond Bell, Chairman



Wilfred J. Smith, Commissioner

This is a true and correct copy of the decision
of the Commission which was entered as the final
decision on 17 MAR 1976



Executive Director

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5 (e) and (g), as amended.)