

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

IN THE MATTER OF THE CLAIM OF

SOPHIA SATA

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. HUNG-2-541

Decision No. HUNG-2-0047

PROPOSED DECISION

This claim in the asserted amount of \$16,430.00 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 asserted loss of certain improved real property at 67 Bokányi (formerly Wlaschich) Street in Budapest XVIII (formerly Pestszentlőrinc), Hungary, and rental income therefrom.

Claimant, SOPHIA SATA, acquired United States nationality on April 29, 1943, by naturalization.

Under section 303, Title III of the International Claims Settlement Act of 1949, (69 Stat. 570 (1955)); 22 U.S.C. §§1641-1641g (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.

On the basis of copies of an extract from the pertinent land record, court decisions and letters by local authorities, the Commission finds that the claimant, SOPHIA SATA, owned the improved real property at No. 67 Bokányi (formerly Wlaschich) Street in Budapest XVIII (formerly Pestszentlőrinc), Hungary, recorded in Liber 2446 of Pestszentlőrinc as lot Nos. 3526/1 and 3526/2, which was nationalized by the Government of Hungary on or about March 6, 1962, without compensation.

It is stated by the claimant that the property was purchased in 1937 for 8,000 pengő, and consisted of two building parcels with a total area of 300 square fathoms improved by a building of three apartments of unstated number of rooms and a tailor shop. On the basis of all evidence of record, including evidence of value of comparable property in Budapest, the Commission finds that on or about March 6, 1962, the date of loss, the subject property at No. 67 Bokányi Street had the value of \$6,000.00, and concludes that the claimant, SOPHIA SATA, is entitled under the provisions of section 303(5) of the Act, supra, to compensation in such amount.

A portion of the claim is asserted for the loss of rentals from the building at No. 67 Bokányi Street in Budapest XVIII from the year of 1952 to the date when this claim was filed.

The rents from 1952 to March 6, 1962, the date of loss, are not ascertainable. However, even if these rentals would be ascertained, claimant could not assert a loss, because in the post-World War II period the rentals from apartments in Hungary were so low that they barely covered the taxes, maintenance expenses and other outlays for repairs. Rents for any period of time after March 6, 1962, belong to the Government of Hungary rather than to the previous owner of the property, the claimant, and are not a proper basis for a claim under the Act, supra. However, the claimant was entitled, on the date the property was nationalized, to compensation in the amount equal to the value of the property. Thus, she has suffered the loss of the use of the money she was entitled to receive on March 6, 1962. Such loss of use can be compensated

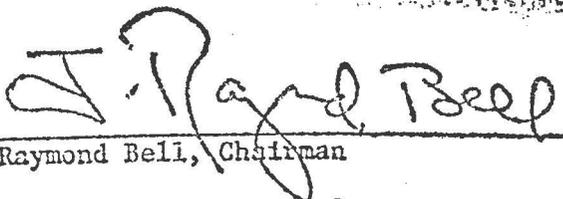
for in terms of interest and the Commission concludes that interest should be allowed on the award at the rate of 6% per annum from the date of loss to March 6, 1973, the effective date of the Hungarian Claims Agreement. (See also Claim of John Hedio Proach, Claim No. PO-3197; FCSC Dec. & Ann. 549.)

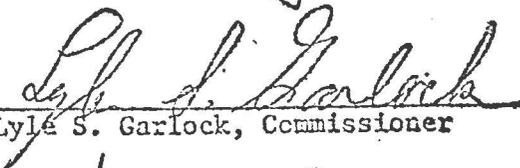
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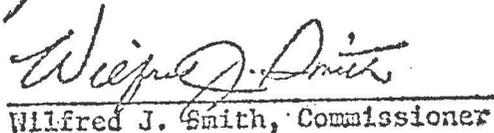
An award is hereby made to SOPHIA SATA in the principal amount of Six Thousand Dollars (\$6,000.00), with interest thereon at the rate of 6% per annum from March 6, 1962, the date when the claim arose, to March 6, 1963, the date of the Hungarian Claims Agreement, in the sum of Three Thousand Nine Hundred Sixty Dollars (\$3,960.00).

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

25 JUN 1975

  
J. Raymond Bell, Chairman

  
Lyle S. Garlock, Commissioner

  
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 27 AUG 1975

  
Executive Director

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice to 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.)