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FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

LAJOS SIPOS  
IBOLYA E. SIPOS

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. HUNG-2-997

Decision No. HUNG-2-1284

Counsel for claimant:

Regosin, Edwards, Freeman  
and Stone  
by Andrew Freeman, Esquire

PROPOSED DECISION

This claim in the asserted amount of \$25,000.00 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 certain improved real property at No. 79 Irhás Arok in Budapest XII, Hungary.

Claimants, LAJOS SIPOS and IBOLYA E. SIPOS, acquired United States nationality on July 30, 1962, by naturalization.

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

In support of this claim the claimants, through their counsel, submitted a certified extract from the pertinent land record which shows, and on the basis of which the Commission finds that LAJOS SIPOS owned a one-half interest in the real property, recorded in Liber 2688 of Budapest XII as Lot No. 9050/1, which was taken by the Government of Hungary on or about March 6, 1963.

The claimants value the entire fee in the subject property at \$25,000.00 and submitted a snapshot which shows that the property was improved by a small cottage built of logs. The extract from the land record also shows that the property in question had an area of 3143 sq. meters, the equivalent of approximately 880 sq. ö1. There is no evidence of record to show that fruit trees were located on the property.

On the basis of all evidence of record, including evidence of value of comparable property in Budapest, the Commission finds that on March 6, 1963, the date of loss, a one-half interest in the subject property had the value of \$5,000.00, and concludes that LAJOS SIPOS is entitled, under the provisions of subsection 303(5) of the Act, supra, to compensation in such amount.

The remaining one-half interest in the subject property is owned by IBOLYA E. SIPOS who still had record title to such interest as of May 5, 1975, the date on which the land extract from Liber 2688 was issued. The fact that the Government of Hungary is a co-owner to the extent of a one-half interest in the subject property may not be deemed as a "nationalization or other taking" of the one-half interest owned by IBOLYA E. SIPOS. Therefore, the claim made by IBOLYA E. SIPOS is denied for her failure to establish that her one-half interest in the subject property was nationalized or otherwise taken by the Government of Hungary between July 30, 1962, the date when she acquired nationality of the United States, and March 6, 1973, as required for compensation under subsection 303(5) of the Act, supra.

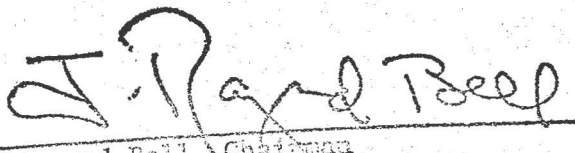
The Commission has concluded that in granting awards on claims under subsection 303(5) of the Act for the nationalization or other taking of property, interest shall be allowed at the rate of 6% per annum from the date of loss to March 6, 1973, the effective date of the Hungarian Claims Agreement. (See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

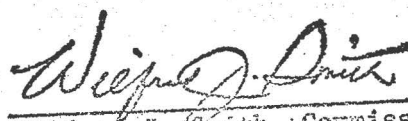
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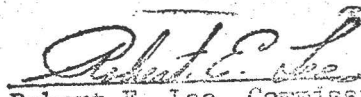
An award is hereby made to LAJOS SIPOS in the principal amount of Five Thousand Dollars (\$5,000.00), with interest thereon at the rate of 6% per annum from March 6, 1963, the date when the claim arose, to March 6, 1973, the date when the Hungarian Claims Agreement entered into force, in the sum of Three Thousand Dollars (\$3,000.00).

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

19 JAN 1977

  
\_\_\_\_\_  
J. Raymond Bell, Chairman

  
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Wilfred J. Smith, Commissioner

  
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Robert E. Lee, Commissioner

This is a true and correct copy of the decision  
of the Commission which was entered as the final  
decision on 4 APR 1977

  
\_\_\_\_\_  
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.)

The regulations also provide that after a Final Decision is entered denying a claim in whole or in part, the claimant may petition to have his claim reopened for further consideration if new and compelling evidence becomes available. Such petition must be filed at least 60 days prior to May 15, 1977, the statutory deadline for the completion of the Hungarian Claims Program. (FCSC Reg., 45 C.F.R. 531.5(1), as amended.)