

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

IN THE MATTER OF THE CLAIM OF

MARY ANNA ROBINSON

Claim No. CZ-2-0866

Decision No. CZ-2-1275

PROPOSED DECISION

This claim in the amount of \$100,000.00 against the Government of Czechoslovakia under subsection 5(a) of the Czechoslovakian Claims Settlement Act of 1981 (Public Law 97-127, 95 Stat. 1675) is based upon the loss of two apartment houses in Brno, Moravia.

The claimant was born in Ennis, Texas on March 27, 1911 and has therefore been a lifelong citizen of the United States.

Under subsection 5(a) of the Czechoslovakian Claims Settlement Act of 1981, the Commission is given the following jurisdiction:

"The Commission shall receive and determine, in accordance with applicable substantive law, including international law, the validity and amount of claims by nationals of the United States against the Government of the Czechoslovak Socialist Republic for losses resulting from the nationalization or other taking of property owned at the time by nationals of the United States, which nationalization or other taking occurred between August 8, 1958, and [February 2, 1982]."

The record establishes that the claimant purchased an apartment house in 1937 located at Vnitřni No. 13 in Brno and that she inherited some 20 years later a 1/2 interest in another apartment house located on a corner lot at Antonínska No. 12 and Masova No. 25 in Brno. The Commission has received a report from the Czechoslovakian Government, dated November 23, 1983, indicating that ownership of the Vnitřni No. 13 property was transferred to the Czechoslovak State in 1977 and that the claimant's 1/2 interest in the Antonínska No. 12 property was also transferred to the Czechoslovak State pursuant to a decision issued by the State Notary Office in Brno on March 10, 1977. Based on the foregoing

evidence the Commission finds that both of the claimant's property interests were taken by the Government of Czechoslovakia, within the meaning of subsection 5(a) of Public Law 97-127, on or about March 10, 1977.

In determining the value of the two properties involved herein, the Commission has considered such evidence as photographs of each apartment house, descriptions of the premises by the claimant and in the report from the Czechoslovakian Government, purchase prices for the two properties, and annual rental income of the properties. The record indicates that the apartment house at Vnitřní No. 13 is a four-story building with eight dwelling units, six of them efficiencies, with an adjoining garden, while the apartment house at Antonínská No. 12 is a five-story building with 50 dwelling units, 29 or 30 of which are efficiencies.

Based on all the evidence of record, the Commission determines that the Vnitřní No. 13 property had a value of \$15,000.00 and that the Antonínská No. 12 property had a value of \$30,000.00, in which the claimant's 1/2 interest would have been worth \$15,000.00, at the time of loss in 1977. MARY ANNA ROBINSON is therefore entitled to an award in the principal amount of \$30,000.00 for the loss of the two properties.

The Commission has concluded that in granting awards under subsection 5(a) of Public Law 97-127, for the nationalization or other taking of property, interest shall be allowed at the rate of 6% simple interest per annum from the date of loss to February 2, 1982, the date the claims settlement agreement between the United States and Czechoslovakia entered into force.

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Claimant, MARY ANNA ROBINSON, is therefore entitled to an award in the principal amount of Thirty Thousand Dollars (\$30,000.00), plus interest at the rate of 6% simple interest per annum from March 10, 1977 to February 2, 1982 in the amount of Eight Thousand Eight Hundred Fourteen Dollars and Ninety Cents (\$8,814.90), for a total award of Thirty-Eight Thousand Eight Hundred Fourteen Dollars and Ninety Cents (\$38,814.90).

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

MAR 20 1984



Frank H. Conway, Commissioner



Joseph W. Brown, Commissioner

This is a true and correct copy of the decision of the Commission which was entered as the final decision.

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.)

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