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

IN THE MATTER OF THE CLAIM OF

BOLESLAW ALBRECHT and
STEFANIA DABROWSKI

Claim No. PO-7777

Decision No. PO-1635

Under the Polish Claims Agreement of 1960 and the International Claims Settlement Act of 1949, as amended

Appeal and objections from a Proposed Decision entered October 2, 1963; no oral hearing requested.

Hearing on the record held on December 18, 1963.

FINAL DECISION

This claim, for $80,000, is based upon the asserted ownership and loss of improved real property in the City of Warsaw, Poland. Claimants BOLESLAW ALBRECHT and STEFANIA DABROWSKI are native born citizens of the United States. WALTER ALBRECHT, who participated in the claims, was a national of the United States since his naturalization on September 15, 1930, and died on May 27, 1963, leaving him surviving the said BOLESLAW ALBRECHT and STEFANIA DABROWSKI.

Under the Polish Claims Agreement of 1960, claims by nationals of the United States for "(a) the nationalization or other taking by Poland of property and of rights and interests in and with respect to property . . ." are settled and discharged. (Agreement with the Government of the Polish People's Republic Regarding Claims of Nationals of the United States, July 16, 1960, 11 U.S.T. & O.I.A. 1953, T.I.A.S. No. 4545 (1960), Article II)

The Agreement further defines "claims of nationals of the United States" as including

> rights and interests in and with respect to property nationalized, appropriated or otherwise taken by Poland which, from the date of such nationalization, appropriation or other taking to . . .[July 16, 1960], have been

> continuously owned . . . (a) directly by natural persons who were nationals of the United States . . . . (Polish Claims Agreement of 1960, supra, at Annex, Paragraph A. See also 14 FCSC Semiann. Rep. 186 (Jan. - June 1961))

By Proposed Decision dated October 2, 1963, the Commission found that an apartment house at 73 Kobielska Street, in Warsaw, Poland, was owned in one-half part by WALTER ALBRECHT, now deceased, in one-fourth part by BOLESLAW ALBRECHT, and in one-fourth part by STEFANIA DABROWSKI; that it had been taken by the Government of Poland on January 1, 1960; and that it had a value of $15,088; and granted awards to said three claimants for their respective interests therein.

Full consideration having been given to the objections of the claimants and additional evidence submitted, the Commission finds that WALTER ALBRECHT having died intestate, survived only by BOLESLAW ALBRECHT and STEFANIA DABROWSKI, the interest of said WALTER ALBRECHT, now deceased, in this matter, has passed to the said survivors in equal shares.

In all other respects the Proposed Decision is affirmed.

Accordingly, it is ordered that the following awards be entered, and as so entered, that they be certified to the Secretary of the Treasury.

A W A R D S

An award is hereby made to BOLESLAW ALBRECHT in the principal amount of Seven Thousand Five Hundred Forty-four Dollars ($7,544) with interest thereon at 6% per annum from January 1, 1960 to July 16, 1960, the date of the Polish Claims Agreement, in the sum of Two Hundred Forty-five Dollars and Eighteen Cents ($245.18);

and an award is hereby made to STEFANIA DĄBROWSKI in the principal amount of Seven Thousand Five Hundred Forty-four Dollars ($7,544) with interest thereon at 6% per annum from January 1, 1960 to July 16, 1960, the date of the Polish Claims Agreement, in the sum of Two Hundred Forty-five Dollars and Eighteen Cents ($245.18).

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

JAN 22 1964

Edward D. Re, Chairman

Theodore Jaffe, Commissioner

LaVern R. Dilweg, Commissioner

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

IN THE MATTER OF THE CLAIM OF

WALTER ALBRECHT, BOLESLAW ALBRECHT
and STEFANIA DABROWSKI

Claim No. PO-7777

Decision No. 1635

Under the Polish Claims Agreement of 1960 and the International Claims Settlement Act of 1949, as amended

PROPOSED DECISION

These claims, for $80,000, are based upon the asserted ownership and loss of improved real property in the City of Warsaw, Poland. Claimant WALTER ALBRECHT has been a national of the United States since his naturalization on September 15, 1930. Claimants BOLESLAW ALBRECHT and STEFANIA DABROWSKI are native born citizens of the United States.

Under the Polish Claims Agreement of 1960, claims by nationals of the United States for "(a) the nationalization or other taking by Poland of property and of rights and interests in and with respect to property . . ." are settled and discharged. (Agreement with the Government of the Polish People's Republic Regarding Claims of Nationals of the United States, July 16, 1960, 11 U.S.T. & O.I.A. 1953, T.I.A.S. No. 4545 (1960), Article II)

The Agreement further defines "claims of nationals of the United States" as including

> rights and interests in and with respect to property nationalized, appropriated or otherwise taken by Poland which, from the date of such nationalization, appropriation or other taking to . . . /July 16, 1960/, have been continuously owned . . . (a) directly by natural persons who were nationals of the United States . . . . (Polish Claims Agreement of 1960, supra, at Annex, Paragraph A. See also 14 FCSC Semiann. Rep. 186 (Jan.-June 1961))

The Commission finds that Julianna Albrecht was the recorded owner of an apartment house at 73 Kobielska Street, Warsaw, Poland; that on July 29, 1954 she assigned all her rights, title and interest therein in one-half part to WALTER ALBRECHT, in one-fourth part to BOLESLAW ALBRECHT, and in one-fourth part to STEFANIA DABROWSKI; and further the Commission finds that said property was taken by the Government of Poland on January 1, 1960 pursuant to an Order of the Presidium of the National Council of Warsaw.

In arriving at the value of this property the Commission has considered all evidence of record including the purchase price in 1938 of Zl. 16,200, the area and cubic content of the buildings, the evidence of 1959 insurance in an amount of Zl. 813,200, claimants' description of the building as 3-1/2 stories with 24 apartments, and the type of construction. Claimants have submitted no further evidence in support of the asserted value of $80,000, although in a letter dated February 2, 1963, suggestions were made regarding the type of evidence appropriate for submission. Based on the entire record, including the results of the Commission's independent investigation, the Commission finds that the value of the property, at the time of its taking, was $15,088; and concludes that claimants are entitled, under the Polish Claims Agreement of 1960, to awards for their respective interests therein.

The Commission has decided that in granting awards on claims under the Polish Claims Agreement of 1960, interest shall be allowed at the rate of 6% per annum from the date of loss to July 16, 1960, the effective date of the Agreement. (See the Claim of John Hedio Proach, Claim No. PO-3197.) Accordingly, the amount of the award will be increased to that extent.

A W A R D S

An award is hereby made to WALTER ALBRECHT in the principal amount of Seven Thousand Five Hundred Forty-Four Dollars ($7,544), with interest thereon at 6% per annum from January 1, 1960 to July 16, 1960, the date of the Polish Claims Agreement, in the sum of Two Hundred Forty-Five Dollars and Eighteen Cents ($245.18);

and an award is hereby made to BOLESLAW ALBRECHT in the principal amount of Three Thousand Seven Hundred Seventy-Two Dollars ($3,772), with interest thereon at 6% per annum from January 1, 1960 to July 16, 1960, the date of the Polish Claims Agreement, in the sum of One Hundred Twenty-Two Dollars and Fifty-Nine Cents ($122.59);

and an award is hereby made to STEFANIA DABROWSKI in the principal amount of Three Thousand Seven Hundred Seventy-Two Dollars ($3,772), with interest thereon at 6% per annum from January 1, 1960 to July 16, 1960, the date of the Polish Claims Agreement, in the sum of One Hundred Twenty-Two Dollars and Fifty-Nine Cents ($122.59).

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

OCT 2 1963

Edward D. Re, Chairman

Theodore Jaffe, Commissioner

LaVern R. Dilweg, Commissioner

NOTICE: Pursuant to the Regulations of the Commission, if no objections to this Proposed Decision are filed within 20 days of service thereof, the decision will, upon the expiration of 60 days after such service or receipt of notice, be entered as the Final Decision of the Commission unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. § 531.5(e) and (g) (1961)).