

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

IN THE MATTER OF THE CLAIM OF

HELGA STRIZVER

Under the International Claims Settlement
Act of 1949, as amended

Claim No. G-0429

Decision No. G-1463

PROPOSED DECISION

This claim in the amount of 30,218.85 Marks against the Government of the German Democratic Republic, under Title VI of the International Claims Settlement Act of 1949, as amended by Public Law 94-542 (90 Stat. 2509), is based upon the loss of a house and land, rental income, and a bank account in Wolmirstedt, German Democratic Republic.

The record indicates that claimant became a United States citizen on April 19, 1968.

Under section 602, Title VI of the Act 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 by nationals of the United States against the German Democratic Republic for losses arising as a result of the nationalization, expropriation, or other taking of (or special measures directed against) property, including any rights or interests therein, owned wholly or partially, directly or indirectly, at the time by nationals of the United States whether such losses occurred in the German Democratic Republic or in East Berlin. . ."

The evidence of record in this claim establishes that claimant's granduncle owned a house and land on Damaschkestrasse 7, in Wolmirstedt. After her granduncle died in 1955, claimant and her father, a German citizen, became owners of a one-half interest each in the property. In 1967 claimant's father received permission from the German Democratic Republic authorities to manage the property, but on May 15, 1972, that authority was revoked. Also

on May 15, 1972, a joint bank account into which rental receipts had been deposited was transferred to the German Democratic Republic, as were individual bank accounts in claimant's name and her father's name.

The Commission finds that the revocation of authorization to manage the property at Damaschkestrasse 7 constitutes a taking of the property as that term is used in section 602 of the Act. Furthermore, the transfer of the bank accounts to the German Democratic Republic constitutes a taking of those accounts. Claimant is therefore entitled to an award under Public Law 94-542 for her interest in the property taken.

Based upon all the evidence of record, the Commission finds that the property at Damaschkestrasse 7 had a value of \$10,000.00 in 1972. Claimant's 50% interest in the property, therefore, equalled \$5,000.00. The bank account holding the rental receipts totalled 21,613 Marks, claimant's share being 10,806 Marks, or \$3,377.00. The individual bank account in claimant's name held 5,855 Marks, or \$1,830.00, in 1972. Therefore, the total value for the property owned by claimant and taken by the German Democratic Republic was \$10,207.00.

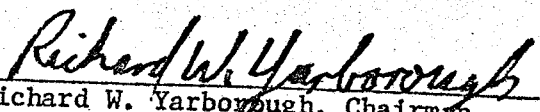
The Commission has concluded that in granting awards on claims under section 602 of Title VI of the Act, for the nationalization or other taking of property or interests therein, interest shall be allowed at the rate of 6% per annum from the date of loss to the date of settlement. (Claim of GEORGE L. ROSENBLATT, Claim No. G-0030, Decision No. G-0100 (1978)).

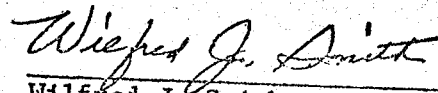
A W A R D

Claimant, HELGA STRIZVER, is therefore entitled to an award in the amount of \$10,207.00 (Ten Thousand Two Hundred Seven Dollars), plus interest at the rate of 6% simple interest per annum from May 15, 1972 until the date of the conclusion of an agreement for payment of such claims by the German Democratic Republic.

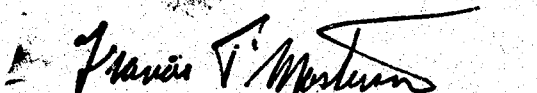
Dated at Washington, D.C.
and entered as the Proposed
Decision of the Commission.

OCT 17 1978


Richard W. Yarborough, 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 NOV 21 1978


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).

At any time after Final Decision has been issued on a claim, or a Proposed Decision has become the Final Decision on a claim, but not later than 60 days before the completion date of the Commission's affairs in connection with this program, a petition to reopen on the ground of newly discovered evidence may be filed. (FCSC Reg., 45 C.F.R. 531.5 (1), as amended).