



## **Background on New Warsaw Property Legislation**

On October 26, 1945, the Communist authorities in Poland issued the Decree on Ownership and Usufruct of Land in Warsaw (the “Warsaw Decree”). This law transferred ownership of all properties within the prewar boundaries of Warsaw back to the city of Warsaw. This included properties seized during the Holocaust by Nazi Germany from Jews who lived in Warsaw - then about 30 percent of the city's population.

The Warsaw Decree permitted the former owners of the nationalized property to apply for temporary ownership rights of the property. But the Communist authorities rejected - or did not review - most of these applications.

Today, thousands of cases remain open.

On September 17, 2016, a new Polish law took effect that further limits the rights of claimants to properties in Warsaw who filed claims under the Warsaw Decree.

The new law requires former owners of the property or their families to come forward and be able to prove their right to the property. Otherwise they will lose all rights, and the property will be transferred to the state treasury or the City of Warsaw.

Under the law, the City of Warsaw is required to publish an announcement of a property on its website and in a national and local Polish newspaper.

Once the announcement is published, a property owner has six months to come forward. After six months, Warsaw authorities would dismiss the case, and the property would be formally registered as belonging to the State Treasury or the City of Warsaw.

Once a property owner files the necessary paperwork, the property owner has an additional three months to prove the right to the property.

### **Additional points about the law**

Please note these additional points about the new Warsaw property law:

- \* It does not allow property owners who did not file claims before the Communist-era deadline of the Warsaw Decree to start a new claim.
- \* It eliminates the right of a property owner to claim large categories of properties, including those in public use.
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