

A Roma complainant complained that he could not have the period of use of his father's grave extended. The Minority Ombudsman, lacking competence, informed the complainant of the main legal provisions relating to the complaint, in particular the possibilities of legal remedies.

CASE LAW MOSAIC

The family of a complainant of Roma nationality, fearing eviction from a flat rented from the House of Tenants, turned to the Minority Ombudsman for help. The Minority Ombudsman informed the complainant of the conditions for the continued renting of the flat and sent a sign to the local family assistance centre.

A complainant of German nationality made several submissions to the Minority Ombudsman, both in relation to his financial claims in connection with his work in Germany and to clarify his pension issues.

The municipality local government rejected the application for extraordinary settlement support made by the applicant and his partner, who are disadvantaged and have problems in maintaining their livelihood. The complainant contested the decision and asked the Minority Ombudsman for further assistance.

The complainant mother is raising her mentally handicapped and disabled child alone, who requires constant care and supervision, but the father is not fulfilling his child support obligations. The complainant of Roma nationality contacted the Minority Ombudsman in relation to the enforcement of the arrears of maintenance, the payment of the advance child maintenance and the possibility of its enforcement.

In connection with demonstrations held by far-right organisations in certain municipalities, the Minority Ombudsman urged the National Chief Police Captain, as part of more effective action against hate crime, to make the police forces apply in their procedures the current provisions of the criminal law in force on incitement to hatred.

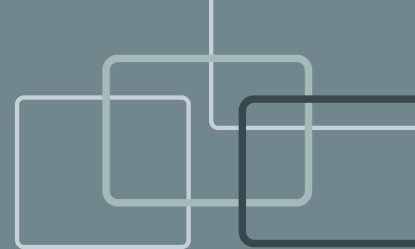
Office of the Commissioner for Fundamental Rights
Secretariat of the Minority Ombudsman

1055 Budapest, Falk Miksa u. 9-11.
nemzetiseg.info@ajbh.hu



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A tenant in a House of Tenants in a town in eastern Hungary feared his family would be evicted, so he turned to the Minority Ombudsman for help. In his petition, he wrote that he and his family had been living in the municipally owned home for five years, previously under a fixed-term tenancy agreement, and for about a year without a tenancy agreement.

The complainant feared that the management of the House of Tenants was seeking to evict his family on the grounds that they were dumping rubbish in the rented accommodation, but he considered this claim to be unfounded. He also complained that his family had been accused of damaging the doors and kitchen cupboards in the rental property.

In his complaint, he wrote that he had repeatedly reported the unfounded accusations against his family to the head of the housing department, but had not received any substantial help. He claimed that he had suffered many disadvantages because of his Roma origin.

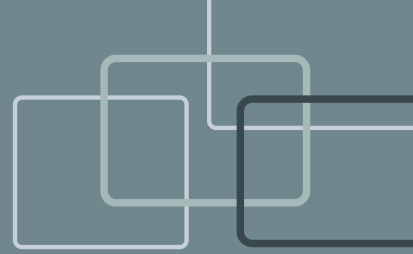
In his letter, he also complained about being called on by the manager of the property management body to provide a certificate from the general practitioner and a lung screening result needed in order to live in the rented accommodation. According to the complainant, the certificates were issued by the GP in November last year and he submitted to the manager the same month.

First of all, the Minority Ombudsman informed the complainant that municipalities do not exercise public authority in the management of housing and therefore she does not have the competence to investigate the civil law relationship between the municipality and the tenant. However, in view of the complainant's vulnerable situation, the Minority Ombudsman contacted the municipality's property management body and requested information on the case.

On the basis of the reply of the manager of the property management body, the Minority Ombudsman informed the complainant that the tenant's flats in the House of Tenants could be rented for a maximum period of one year. The administrator indicated that the complainant's family had renewed the contract for the use of the flat on several occasions, but that the last valid contract had expired and that no request for renewal had been made to date.

CASE LAW MOSAIC

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According to the manager's reply, which was also communicated to the complainant by the Minority Ombudsman, the asset management body does not intend to evict the complainant's family, but the presentation of medical certificates is essential for the conclusion of the tenancy agreement. He explained that they would be ready to re-contract the property upon presentation of the necessary medical documentation, but that the cooperation of the family was essential.

Finally, the Minority Ombudsman also contacted the local family assistance centre about the housing problems of the disadvantaged family, and the head of the centre replied that the complainant and his family had fulfilled the conditions for the conclusion of the contract of use and that they remained tenants of the municipality-owned flat.