

CASE LAW MOSAICS

A complainant of Roma origin objected to the possession protection procedure of the notary of the competent municipality due to an alleged discriminatory treatment related to her nationality. At the end of the procedure, the Minority Ombudsman drew the attention of both the complainant and the municipality to the possibility of using the conflict management and dispute settlement procedure.

A Roma citizen of a large municipality turned to the Minority Ombudsman with a complaint related to the right of pre-emption of real estate, objecting to the notification obligation of the local government. The complainant complained that the municipal announcement regarding the exercise of the right of pre-emption was only published on the Internet, but was not on the municipal notice board, and he also held that they wanted to evict him and his family from their current place of residence because of his Roma origin.

The Minority Ombudsman investigated the application of a complainant of Romanian nationality, who was insulted by her neighbors also because of her origin. Criminal proceedings were initiated in the case for nuisance.

A Roma complainant turned to the Minority Ombudsman for help in his housing case, also sharing his difficulties in starting a life and making a living. He held that he was at a disadvantage when applying for municipal rental housing because of his Roma origin.

A Roma citizen repeatedly lodged a complaint to the Minority Ombudsman in his enforcement case. He complained that the applicant for enforcement refrained from any kind of agreement, and also from authorizing the payment of the complainant's debt in installments. The Minority Ombudsman facilitated the complainant's legal enforcement options by providing detailed information.

A complainant of German nationality alleged that a private person's post on his Facebook page, accessible to the general public, violated his right to honor and reputation, as well as the dignity of the German community, in connection with his nationality.

A person of Roma nationality lodged a complaint to the Minority Ombudsman against a district nurse. In her application, she objected to the nurse's measures taken in the context of her pregnancy care.

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

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



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A Roma complainant visited the West Hungarian Regional Office of AJBH in connection with his housing difficulties. He reported that he lives with his mother in a one-room, municipal rental apartment, but would like to move to a separate apartment. He complained that he had submitted housing applications to the local government several times, but they were rejected in each case, due to the level of his income.

First of all, the Minority Ombudsman informed the complainant that local governments do not exercise official authority in the management of housing, and therefore the Minority Ombudsman has no competence to investigate the civil legal relationship between the local government and the tenant, or to review the renting out of apartments. In order to get to know the background of the case and the position of the local government – with account to the difficulties of the Roma complainant in starting life – the Minority Ombudsman contacted the mayor of the municipality in question and asked him for information.

In his reply, the mayor confirmed that in the past period, the complainant submitted several applications for municipal rental housing, which were rejected due to exceeding the prescribed income limit. He pointed out that more housing applications are received by the local government than the number of available rental apartments.

The information received also revealed that at the end of January 2023, the complainant submitted another application for pre-registration to the municipality, the evaluation of which was still in progress at the time of the response. The mayor informed the Minority Ombudsman that, in the event of a favorable decision, the complainant can obtain the right to participate for a year in the rental housing tenders that are subject to prior registration to be announced, in which a one-year lease of rental housing with all comfort levels can be obtained.

In his response letter, the mayor described in detail the housing support and opportunities available in the settlement, which young adults can also use.

In the given settlement, part of the rental apartments is utilized by the local government within the framework of a savings tender system. Within this framework, tenants can enter into a fixed-term, 5-year lease, which cannot be extended. During the duration of the tenancy, the tenants must "set aside" a fixed amount each month in the form of savings of their choice, which helps and encourages the solution of their own housing in the future. The tender is announced in March and October of each year.

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The mayor also highlighted the tenancy tender for renovation available in the settlement, in the framework of which the tenant undertakes to carry out significant renovation work, possibly including an increase in comfort. With the application, it is possible to obtain the fixed-term, 5-year lease of the municipal rental apartment. The applicant must be able to cover the calculated cost of the work to be performed. This type of application is available on the website of the local government.

As an additional housing support, the mayor identified the interest-free municipal loan provided by the local government, which can be applied for by adults who do not own real estate, in order to acquire their first apartment. The maximum amount of support that can be given for the purchase or construction of an apartment in the settlement is HUF 5 million.

The Minority Ombudsman informed the complainant in detail about the mayor's response letter and the local opportunities he described, and recommended that he monitor the housing rental applications and support forms issued by the local government, and request information from the local authority's housing unit about the current calls most suitable for the complainant, taking into account his entitlements.