

## Assessment and Valuation of Damage

### **1. *How is the extent of damage to housing assessed and valued legally? What methodologies are applied?***

The state has established a specific formula for calculating compensation for destroyed property.

The calculation formula includes:

- The cost per square meter of housing in Ukraine;
- The number of rooms, year of construction, location, area of the destroyed property, and other indicators.

The cost per square meter of housing on the secondary market is the same throughout Ukraine. However, additional coefficients that are applied in the calculation affect the compensation amount. For example, the regional coefficient in Kyiv (Pechersk district) is 2, in Lviv (Lychakiv district) it is 1.312. Additionally, the year of construction of the apartment or house affects the calculation of the total compensation. For example, for buildings constructed between 1800-1917, the coefficient is 1.22, and for buildings constructed between 1918-1990, the coefficient is 0.69.

The compensation amount for property that can be repaired is calculated taking into account the cost of repair works. The average cost of each repair work is determined by the state in this case.

Compensation for completed repairs is provided for works and building materials for which the individual did not receive financial or material assistance for repair works from public or international organizations, including charitable organizations, local government bodies, enterprises, institutions, and organizations. Additionally, the legislature has defined a clear list of building materials for which compensation is paid (rebar, cement, door and window blocks, etc.).

### **2. *Which official entities or processes are in place for this assessment?***

#### **Local authorities:**

- Establish commissions to consider applications for compensation payments;
- Implement priority measures for prompt response (informing the State Emergency Service, law enforcement agencies about the damage to objects, conducting preliminary visual inspections of damaged objects).

#### **The commission considering applications for compensation payments:**

- Provides consultations regarding the receipt of compensation;
- Receives necessary information from state bodies for application consideration;
- Conducts inspections of damaged or destroyed property;
- Makes decisions regarding the payment or refusal of compensation.

**The Ministry of Infrastructure** ensures the formation and implementation of state policy in the field of compensation payments (develops regulations and approaches, ensures uniform approaches to establishing compensation).

#### **Centers for the Provision of Administrative Services, social protection authorities, and notaries:**

- Accept applications from citizens for compensation payments;
- Provide consultations to citizens regarding their rights to compensation payments;
- Notaries perform notarial actions related to real estate.

### **3. *What potential areas for advocacy (problems) are in this field?***

In case of absence of documents proving ownership of the destroyed or damaged property, and absence of information about property ownership in the registry of property rights on real estate and their encumbrances, the owner will need to establish their ownership right to the ruined property in order to obtain compensation. The absence of such information may be a reason to suspend the consideration of the application, and in case of failure to provide the information after the suspension of the application, even a refusal to receive compensation for the damaged apartment or house.

As a general rule, to restore lost or destroyed documents, it is necessary to apply to the authority that issued these documents.

- If a notarized deed of sale of the apartment or house was executed, or a certificate of inheritance was obtained, then it is advisable to contact the notary who certified the deed or issued the certificate and obtain a duplicate. Also, if the notary no longer practices, it is necessary to contact the territorial justice department for recommendations on further actions.
- If the ownership right was acquired based on a court decision, then it is necessary to apply to the court where the decision was made and obtain a copy of it.
- In case it is impossible to restore the documents proving ownership, it is necessary to file a lawsuit with the court to recognize the ownership right to the respective property.

After taking these steps, it is necessary to register the information about the ownership right in the registry of property rights on real estate and their encumbrances.