

Property Documentation

Ukrainians often face challenges related to the loss or damage of real estate and land ownership documents. This jeopardizes not only their ability to prove their property rights, but also to receive compensation from the state for damages caused by the war. The loss of these crucial documents as a result of the destruction can significantly complicate the compensation process.

To cover these issues, Ukrainian law provides mechanisms for issuing duplicates of lost or damaged property documents. This is an important step that allows property owners to restore their documents and simplifies the procedure for claiming compensation for destroyed property. As a general rule, only the entity that issued the document can issue a duplicate.

In addition, in cases where there is no title registered, there are legal procedures for resolving property disputes. These procedures may include going to court to establish ownership through the collection of relevant evidence and testimony. This approach helps to ensure the protection of property rights even in difficult post-conflict conditions.

The documents certifying ownership may be:

- > a sales agreement ;
- > a gift agreement;
- > an exchange agreement;
- > certificate of ownership;
- > certificate of inheritance, etc.

There are three main ways to restore property documents:

<p>If the ownership of real estate was formalized before 2003, then in order to obtain a duplicate title document, you should contact:</p> <ul style="list-style-type: none">- the notary who issued the document,- notary archive,- an official of a local self-government body- Center for Administrative Services. <p>The application to the Center for Administrative Services must be accompanied by:</p>	<p>If the ownership of the real estate was registered after 2003, a person can obtain information on ownership from the State Register of Real Property Rights</p> <ul style="list-style-type: none">- Individually by submitting an application through the digital platform Dia- through a notary or- Center for Administrative Services.	<p>If a person has not formalized the real estate title or if it is not possible to obtain duplicate title documents, it is necessary to apply to the court to establish ownership of the real estate.</p>
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<ul style="list-style-type: none"> - a statement with the consent of all adult co-owners of housing who participated in the privatization (to be filled in in the presence of the administrator); - copies of passports or birth certificates for persons under the age of 16 who are co-owners of the housing and originals of identification documents; - a document from the police stating that the original certificate of ownership of the housing was stolen or lost; - announcement of the loss of the certificate in the printed media. 		
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If a person has lost a real estate title certificate that was issued before January 1, 2013, it is still necessary to do the state registration the of real estate ownership. To do this, a person needs to use information from the State Register of Real Property Rights, which is the archive of the State Register of Property Rights. Alternatively, paper records may be used. If the applicant has a copy of the lost certificate, it must also be submitted. If there is no archival record in the registry, you should contact the Bureau of technical inventory archive.

Judicial procedure:

The reason why the title documents are missing defines the future algorithm of actions in the court. In accordance with part 1 of Article 30 of the Civil Procedure Code of Ukraine, the claims that are revealed regarding immovable property are presented at the location of the property or its main part.

Such claims submitted to the court may be:

- > applications for recognition of property ownership title,
- > applications for the establishment of a legal fact,
- > applications for the removal of obstacles to the exercise of the ownership right by demanding title documents for the property.

So, for example, if **title documents** for inherited property are kept by one of the heirs, who deliberately do not give them to a public notary, then it is a reason to apply to the court asking for the removal of obstacles to the exercise of the ownership right by demanding title documents for the property from the heir. After the satisfaction of such a claim and the demand for legal documents, registration of the right to inherit the property is carried out through a notarial by issuing a certificate of the right to inheritance. In this case, the court decision becomes a legal document.

If, for instance, there are **no title documents** to accept the inheritance, then the issue is resolved by submitting a claim for recognition of the ownership right of the inherited property.

If a person **lost documents or they were destroyed** as a result of military actions, the issue can be resolved in court by establishing the legal fact of ownership or by recognizing the ownership title to a property.

If there was **already a court decision on ownership title** to the immovable property and the court decision was lost or destroyed, it is necessary to apply to the court of first instance, where the relevant case was considered, with an application for reissuance of the court decision.