

CENTRAL ANTI-CORRUPTION BUREAU

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CBA determines after the control - further irregularities in the re-privatization in Warsaw

12 cases of irregularities in the re-privatization of parcels and tenement houses out of 50 cases in Warsaw - examined during the control carried out by the CBA. 4 parcels worth 100 million zł because of irregularities in the activities of the city were taken over by persons who were purchasing claims for 852 thousands zł. The entire collected material will be sent to the prosecutor's office.

Officers from the Department of Control Proceedings of the Central Anticorruption Bureau completed the control of the specific provisions of the law-making procedures and implementation of decisions regarding disposal of public property, issued by the President of the City of Warsaw, in particular on the basis of the decree of 26 October 1945 on the ownership and use of land in the area of the City of Warsaw in years 2010-2016.

President of the City of Warsaw issued, in the examined period, 1201 decisions regarding the re-privatization of Warsaw real estates.

The CBA for the purpose of the control has chosen 50 cases of re-privatization taking into consideration the location of the property in the city center - on the Defilad Square and its surroundings, personal ties - the same owner, the usufructuary, the beneficiary of the decision, attorney or curator as well as on the basis of previous own information of the Bureau.

Control of the CBA has shown that the re-privatization of 12 out of these 50 properties was carried out in violation of applicable laws.

Controllers from the Central Anticorruption Bureau determined, that the four

properties located in the center of Warsaw, including one which building conditions allow for a construction of a high-rise, of a total value of over 100 million zł, were sold to people dealing with the purchase of decree claims for the amount of more than one hundred times lower - 852 368 zł.

The CBA accuses in these cases of the lack of participation of the city - as a statutory heir or legal representative of the heir of the State Treasury - in court proceedings relating to the so-called inheritances which were not taken over after the former owners of the property. As a result of these omissions, the State Treasury has not acquired the rights to claims of valuable properties. The persons who were purchasing the claims have gained much.

Disclosed by the CBA irregularities on the part of the city of Warsaw also concerned the issuing of re-privatization decisions on the decree requests submitted by an unauthorized person or filed after the expiration of the half-year term from the date of acquisition of land by the city.

In connection with the confirmed irregularities found out during the CBA's control, the Bureau negatively assessed the activities of the President of the City of Warsaw conducted, among others, in order to determine the legal succession of the former owners of Warsaw real estates (with special emphasis on the so-called inheritances which were not taken over); findings whose claims and to which Warsaw real estates have been settled on the basis of indemnification agreements; determination the rights to submit an application for the right of perpetual lease of the grounds of the Warsaw real estates; if the issued decisions by the higher bodies which were annulling decree decisions are correct.

Already during the CBA's control the Bureau directed to the prosecution three notifications on suspicion of committing a crime at the re-privatisation of Warsaw real estates, the application for the opposition to the decision of the Local Government Appeals Court and an application for the opposition to decisions on re-privatization of one of Warsaw real estate, which includes additional information on suspicion of committing a crime at the re-privatization of this property.

The CBA plans to address to the Council of the City of Warsaw a statement outlining system conclusions, implementation of which will contribute to the elimination of irregularities.

It is worth noting that the refusal to sign the control report by the President of Warsaw does not constitute an obstacle to the implementation of control findings, does not change the uncontested findings of the CBA. The entire collected material will be sent to the prosecutor's office.

Regional Office of the CBA in Warsaw, under the supervision of the prosecutor's office, already conducts several dozens of investigations concerning the so-called wild re-

privatisation. Officers of this Regional Office of the CBA in January detained five persons and in February this year three people in the investigation of irregularities in the re-privatization in Warsaw. Among those detained was, among others, a former official of the Warsaw City Hall, a lawyer, former deputy director of the Bureau of Land Management Office of the City of Warsaw and two other persons from this office, who were working in the time of the detention in units of local government of Warsaw. They all heard charges associated with the wild re-privatization of real estates in Warsaw.



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