

**Judgment of the Constitutional Court of the Russian Federation of 15  
October 2012 No. 21-II. Resume.**

**By the Judgment of 15 October 2012 No. 21-II the Constitutional Court gave appraisal of constitutionality of the provisions of Item 21 of Article 15 of the Federal Law *On the Status of Military Servicemen***

The subject-matter of consideration by the Constitutional Court in the present case were the provisions of Paragraphs 1 – 4 of Item 21 of Article 15 of the Federal Law “On the Status of Military Servicemen”, regulating the provision with housing of citizens dismissed from military service, registered by bodies of local self-government as needing housing before 1 January 2005. In the petitioner’s case, these norms were interpreted by courts as depriving a person dismissed from military service, who was respectively registered before 1 January 2005, of the right to be provided with housing in accordance with the indicated norm in case of his removal to another inhabited locality and registration as needing housing in the new place of residence after this date.

The Constitutional Court recognized the contested provisions as not conforming to the Constitution of the Russian Federation to the extent to which they hinder the realization by such citizens of the right to be provided with housing of their choice in one of the forms envisaged by the said legislative provisions on equal conditions with citizens pertaining to the same category, who after having been registered as needing housing did not change place of residence.

Until insertion of the necessary amendments, the provision of citizens dismissed from military service and registered as needing housing by bodies of local self-government before 1 January 2005, and later due to change of permanent place of residence registered in the new place of residence already after 1 January 2005, with housing must be carried out proceeding from the time of respective registration of these citizens in the new place of residence.

**05 October 2012**