

By the Judgement of 20 July 2018 No. 34-II/2018 the Constitutional Court appraised constitutionality of Item 15 of Article 15 of the Federal Law “On Status of Military Servicemen”.

The contested provision was a subject-matter of consideration to the extent to which on its basis it is decided on discontinuance of the right of a military serviceman, doing contract military service or dismissed from it, to be provided with housing in accordance with the provisions of this Federal Law in connection with participation of the spouse of this military serviceman in the accumulative-mortgage system of housing provision of military servicemen.

The Constitutional Court has recognised the contested provision as not conforming to the Constitution of the Russian Federation to the extent to which it hinders to realise the arisen right of a military serviceman, who concluded the first contract on doing military service prior to 1 January 2005, continues to do military service or was dismissed from it after this date, to the provision of himself and his family members, including spouse, with housing in accordance with the provisions of this Federal Law in connection with participation of the spouse of this military serviceman in the accumulative-mortgage system of housing provision of military servicemen, irrespective of the wish of the military serviceman and his (her) spouse to enjoy this way of exercise of the right to be provided with housing instead of the participation of the spouse of the military serviceman in the accumulative-mortgage system of housing provision of military servicemen.