

By the Judgement of 22 January 2018 No. 4-II/2018 the Constitutional Court appraised constitutionality of Item 3 of Section 2 of Article 57 of the Housing Code of the Russian Federation.

The contested provision was the subject-matter of consideration insofar as it serves as a ground for the decision to provide housing under social lease contract to a minor, suffering from grave form of a chronic disease indicated in the list set by a federal body of executive power authorized by the Government of the Russian Federation (hereinafter – a respective disease), in the event when his family members with whom he lives together are registered as needing housing.

The Constitutional Court has recognised the contested provision as not contradicting the Constitution of the Russian Federation, so far as it:

contemplates taking decision on extra provision of housing under social lease contract to a minor suffering from a respective disease, bearing in mind the space necessary for living there of at least one adult family member taking care for this minor;

in itself may not serve as a ground for refusal to provide housing to a minor suffering from a respective disease, bearing in mind the need for his parents and other family members to live there, if, proceeding from facts of a specific case, their joint living is crucial for the state of health of the minor, his evolution and integration in the society and if public formation has actual resources for the provision of housing of the respective space.