

By the Judgement of 23 April 2024 No. 20-II, the Constitutional Court assessed constitutionality of Article 19 (part 3), Article 57 (parts 1 and 2), Article 59 (part 1), Article 60 (part 1) and Article 63 (part 1) of the Housing Code of the Russian Federation

These legal provisions were considered in so far as they regulate the issue of granting citizens who live in a communal flat on the basis of a rent agreement (which is not a social rent agreement) concluded with them due to difficult personal (family) circumstances, the vacated residential premises in that flat under a social rent contract, or the re-registration of such a contract to a social rent contract, if, at the time of vacating the premises, such citizens are recognised as low-income and in need of housing in accordance with the established procedure.

The challenged interrelated legal provisions were found not to be inconsistent with the Constitution of the Russian Federation since although they do not provide for the granting of vacated housing under a social rent agreement in the above case, nor for its re-registration, and they do not imply, in their constitutional and legal sense, the termination of such an agreement or the refusal to renew it for a new period on terms that should not be worse for citizens than the previously concluded agreement, if:

the coincidence of difficult personal (family) circumstances, in connection with which a rent agreement (which is not a social rent agreement) has been concluded, is preserved and citizens comply with the terms of the contract;

citizens are or may be recognised as low-income and in need of housing in accordance with the established procedure;

in the event of termination or refusal to renew this agreement, the citizens would lose the right to occupy the only housing available to them.

The Constitutional Court concluded that there were no grounds for reviewing the applicant's case.