

By the Judgement of 18 July 2025 No.30-II, the Constitutional Court assessed constitutionality of Article 8 (item 3.1 and sub-item 3 of item 4) of the Federal Law “On Additional Guarantees of Social Support Measures for Orphans and Children Left without Parental Care”; Article 10 (part 4) of the Federal Law “On Additional Measures of State Support Measures for Families with Children”; Article 109.1 (part 1) of the Housing Code of the Russian Federation, as well as provisions of Articles 327.1 and 379.6 of the Civil Procedure Code of the Russian Federation

These legal provisions were the subject of consideration to the extent that, they serve as a basis for resolving the issue of exclusion of a citizen from the list of orphans and children left without parental care who are subject to housing provision, and on invalidation of a certificate already issued to such person for the purchase of residential premises at the expense of the budget of constituent entity of the Russian Federation due to purchase of residential premises by such person using the funds of a mortgage and maternal (family) capital.

The contested legal provisions were recognised as not contradicting the Constitution, since in their constitutional and legal meaning in the system of current legal regulation they:

do not allow the exclusion of a citizen from the specified list and invalidation of a certificate already issued to him, confirming the right to a one-time provision at the expense of the budget of a constituent entity of the Russian Federation of payments for the acquisition of residential premises, due to the fact that such a citizen acquired residential premises at the expense of a mortgage;

do not presuppose determining the level of provision of such persons with the total area of residential premises in order to provide them with housing guarantees based on the availability and size of their shares in the right of common ownership of residential premises, in particular, acquired using maternal (family) capital as an additional financial source.