



Collection Agencies A and B - negative files immovable properties

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Title of the holdings

Austrian State Archives/Archives of the Republic

Record group: **Entschädigungs- und Restitutionsangelegenheiten** (“compensation and restitution matters”), 1938–1945

Holdings: **Hilfsfonds** (“Assistance Fund”), 1955–1982

File series: **Sammelstellen A und B** (“Collection Agencies A and B”) 1957–1972, **Negativ-Akten Liegenschaften** (“negative files, immovable properties”)

Abbreviation for this type of file: SSt-Neg. LG

Origins of the holdings

The establishment of Collection Agencies A and B was an indirect result of Article 26 Sec. 2 of the Austrian State Treaty of 15 May 1955 “concerning the re-establishment of an independent and democratic Austria” (Federal Law Gazette 152/1955). In this Treaty, the Republic of Austria undertook to transfer to so called receiving organizations heirless assets or unclaimed assets, rights and interests which were liable for restitution. Collection Agencies A and B, located in Vienna, were established as a direct result of the *Auffangorganisationsgesetz* (“Receiving Organizations Act”).

Collection Agency A was responsible for the assets, rights and interests of those persons who had been members of the Jewish Community on 31 December 1937; Collection Agency B was responsible for the assets, rights and interests of all other persons who had suffered seizures of assets under the National Socialist regime.

If the investigations of the Collection Agencies A and B suggested that they were dealing with an asset which had not been claimed by the aggrieved owner or their heirs, the investigation department drafted a notice on the basis of which a so called claims file was opened. If subsequent research revealed that the Collection Agencies were not in a position to file a claim due to a legal and binding settlement (or legal and binding ruling) pursuant to the *Drittes Rückstellungsgesetz* (“Third Restitution Act” – *Federal Law of 6 February 1947 on the Nullity of Property Seizures*, *Federal Gazette 54/1947*), or due to an out-court-settlement between those entitled to restitution and the former owners, the documents were filed in a special holding as so called negative files.

Contents of the files

The records disclose information regarding persons who have waived the right to file for potential *in rem* restitution of immovable properties and under which legal basis and circumstances they have occurred. The most important pieces of information in these files include out-of-court settlements and waivers, which are hardly available in the form of documentation due to their private legal nature. Personal data and relevant information on succession rights may also be gathered from the files.

Informational content

The files contain the basic information about immovable properties (register number, cadastral district, community of owners, historical buyer and purchase price), as well as the cadastral certificate from the land register. In cases where restitution has been waived (voluntarily or involuntarily) the motives of the historical owners can be looked up in the files. Moreover the files contain information regarding the discretionary power of the director of the Collection Agencies to waive the right to file a claim in case of doubt (i.e. in sensitive cases of donations to family members or tiny properties).

Alternative sources of information

Information concerning historical ownership statuses of immovable properties can be found in the land registers and archives of the respective District Courts.

Folders (Format A6) in which the registry numbers and their corresponding cadastral districts are listed in ascending numerical order are available in the Austrian State Archives. Reference numbers of the appropriate holdings of the Collection Agencies are attached to the records. However, this searching aid is not accessible to the public.

Explanations and comments

Occasionally, the reason of the Collection Agencies management for waiving the right to file a claim is not always clear from the records. The viewpoints of both, Holocaust survivors as well as the viewpoints of the owners of the immovable properties are recorded in the files as their subjective perceptions. On the one hand we have the statements of the victims of National Socialism, mostly people residing outside of Austria, which vary from person to person. Some want to distance themselves from post-war Austria, whereas others have a more refined view of the matter. On the other hand you will find the statements of the present owners of the properties, which can often be described as euphemistic descriptions of the circumstances involved during the transfer of ownership under the National Socialist Era. The readers will therefore have historically differing and conflicting opinions on what happened at that time.

Data Processing Procedures: Collection Agencies A and B - negative files immovable properties