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Notifications of seized property

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Origins of the holdings

The Gesetz über die Erfassung arisierter und anderer im Zusammenhange mit der nationalsozialistischen Machtübernahme entzogenen Vermögenschaften (“Law on the Notification of Aryanized and Other Properties Seized in Connection with the National Socialist Assumption of Power”) of 10 May 1945 (State Law Gazette. no. 10/10 May 1945) was a first attempt by new Austrian government to address on a political level the enormous volume of assets that had been seized under the Nazi regime. The *Vermögensentziehungs-Anmeldungsverordnung* (“Ordinance on the Notification of Seized Property”) of 10 May 1945, State Law Gazette 10/1945, Federal Law Gazette 166/1946] (Federal Law Gazette 166/1946) (abbr. VEAV) of 15 September 1946 was enacted to create an overview of which assets had passed, directly or indirectly, into the hands of which natural or legal persons from 13 March 1938 as a result of seizure. The first person to acquire the assets or subsequent “entitled persons” (e.g. following a sale, inheritance of the asset or, after May 1945, a public administrator) had to provide notice of the seized asset(s) in question. As a rule, notifications were filed using a form filled out in triplicate. Aggrieved owners or their heirs could notify the authorities of their asset losses on a voluntary basis. The notifications had to be submitted to the District Commission or Municipal District Office of the area in which the seized property was located or in which the aggrieved person was last duly resident. These authorities then forwarded these notifications to the competent Head of Provincial Government or, in Vienna, to the municipal department 62 (responsible for legal affairs). The notifications were not a substitute for filing a restitution application pursuant to one of the restitution acts.

File content

On the whole, the Notifications of Seized Property consist of three-page questionnaires with various enclosures. If restitution proceedings had been held for the registered and seized asset the outcome of the proceedings should also be enclosed with the notification. The result of restitution proceedings conducted pursuant to the *Erstes Rückstellungsgesetz* (“First Restitution Act”) or the *Zweites Rückstellungsgesetz* (“Second Restitution Act”) should be documented by a restitution decision (or in the event of an appeal, a decision on appeal) from the fiscal authority responsible for implementing the act; for restitution proceedings conducted pursuant to the *Drittes Rückstellungsgesetz* (“Third Restitution Act”), a ruling and/or a partial ruling (pursuant to Sec. 13 (2) and (3) of the Third Restitution Act; Federal Law Gazette 1947/54) or a restitution settlement concluded before this Commission or an official acknowledgement of the restitution case should be enclosed. In the event of an objection to a ruling of the Restitution Commission (first instance), the ruling of the appellate body, the Higher Restitution Commission, should be enclosed with the file. In rare cases, a file might contain decisions of the Restitution Commission (e.g. on a procedural matter) or of the Land Register Court, decisions/orders from an authority pertaining to a property, a land register excerpt or correspondence between the authorities and the parties involved, as well as substantiating documents.

Informational content

The compulsory notifications contain the names of the declarants (individuals or institutions), the aggrieved person(s) and the names and addresses of those who disposed of the property after 13 March 1938. This information is rounded off by key information on the asset, its value and details of the seizure. In addition to the surname and forename(s) of the aggrieved person(s) the forms also contain the known residential addresses at various times and possible indications as to their fate between 1938 and the filing of the notification (which generally took place in the second half of the year 1946). They may also contain information on the descendants, relatives or heirs of the aggrieved person. The information on the details of the seizure or aryanization may also contain references to the approval procedure of a Nazi authority (Property Transaction Office, Chief Finance President) that enables further archival research to be carried out, particularly if a file number is given. Voluntary notifications by the aggrieved persons or their heirs often contain detailed information on property losses (such as seized furnishings, information on the composition of seized removals, and stocks and bonds).
It can be gathered from a restitution decision or a restitution ruling whether an asset was restituted and to whom (original owner, heirs) and under what conditions. The documents from proceedings conducted pursuant to the Third Restitution Act also show who was obliged to restitute. All restitution documents contain either the current address at that time of those seeking restitution or that of their legal representative. In summary the VEAV notifications contain a compact set of information that can be gathered from the form (questionnaire) and the information that had to be required by law.

Alternative sources of information

Since this file holding has been preserved, it is not alternative sources of information but rather mainly complementary and further reaching information that comes into question. In some cases Notifications of Seized Property contain references to preexisting historical sources, such as a

reference to a file number or a general mention of a bureaucratic procedure by a (Nazi) authority. The files that generally come into question regarding asset seizure by Nazi authorities are the files of the Property Transaction Office at the Austrian State Archives (Vienna), and following its “regionalization”, the files transferred to the Nazi Gaue (“Reich regions”) (held at the provincial archives). If the locally competent Chief Finance Presidents had been involved in a seizure, their files can be found at the provincial archives and the Austrian State Archives (for the provinces Vienna, Lower Austria and Burgenland). If a property seizure was the subject of restitution proceedings, there is comprehensive information contained in the files created pursuant to the relevant restitution act (provincial archives, with the exception of Vienna, Lower Austria and Burgenland, where the files pursuant to the First and Second Restitution Acts are held).
The Austrian State Archives also holds numerous card indices that are not publicly accessible, which contain concentrated information on seized assets: these include two card indices of the Collection Agencies A and B regarding properties and businesses (working titles: “list of properties” and “list of businesses”), a so-called “restitution index”, and last but not least the files of the collection agencies (these can be accessed in the database of the Findbuch for Victims of National Socialism). The index for the restitution files of the Financial Directorate for Vienna, Lower Austria and Burgenland is a further source of information.

Explanations and comments

One file cover (under one file number) may contain up to three registrations filed at the same District Commission (or the same District Office) by different people or relating to different assets, Equally, different registrations (several file numbers) of different people regarding the same asset can be found (the related restitution documentation should be identical).
The provincial governments received identical copies of the restitution decisions by the fiscal authorities and the restitution rulings of the Restitution Commissions, which they forwarded to their district administrative authorities for safekeeping. As restitution proceedings were held for objects that had not been subject of either a compulsory notification or a voluntary one, the VEAV file holdings can also contain documents from restitution proceedings that are not connected to a notification.
The most common category for which notifications were filed was real estate, followed by businesses. Notifications for furnishings and removals, cash, securities, insurance policies and rights were less common.

Archives of Upper Austria

Archive: **Archives of Upper Austria**
Record group: ***Mittelbehörden*** (“intermediate authorities”)
Holdings: ***Bezirkshauptmannschaften seit 1868*** (“District Commissions since 1868”)
File series: ***Vermögensentziehungsanmeldung*** (“Notification of Seized Property”)
Former title of the file series: ***Rückstellungsgesetz – Anmeldung bei den Bezirksverwaltungsbehörden (RSTG)*** (“Restitution act – notification of the district administrative authorities”)
Period: 1946–1961

The notifications of seized property held at the Upper Austrian Provincial Archives are ordered according to district administrative authority. The notifications contain a great number of areas which cross over with other relevant file series from the Upper Austrian Provincial Archives, such as the *Finanzlandesdirektion für Oberösterreich* (“Financial Directorate for Upper Austria”), the *Arisierungsakten* (“aryanization files”) and the holding *Israelitische Kultusgemeinde Linz* (“Jewish Community Linz”). Also to be mentioned are the files pursuant to the Third Restitution Act (Federal Law of 6 February 1947 on the Annulment of Property Seizures, Federal Law Gazette 54/1947) in the series *Rückstellungskommission (Rk) 1947-1966* (“Restitution Commission 1947–1966”) in the sub-holding LG Linz – Sondergerichte (“Provincial Court Linz – Special Courts”).
The forms filled out pursuant to the Notification of Seized Property are ordered according to district administrative authority and in some cases contain information on the subsequent (restitution) proceedings up to 1961. Generally, proceedings conducted pursuant to the Third Restitution Act (Federal Law of 6 February 1947 on the Annulment of Property Seizures, Federal Law Gazette 54/1947) have the file no. of the Restitution Commission noted on the file cover. As the compulsory notifications and the voluntary notifications were originally held in separate series with their own sort numbers, following reorganization, it is possible that two files with different subjects are held under the same sort number (file of an aggrieved person and file of the beneficiary of a seizure). Conversely, notifications filed by various declarants but relating to the same asset were later filed together – for the most part under the number of the compulsory notification. This means that many notifications can no longer be found under their original file number but with the notification of e.g. the aryanizer. If up to three notifications with the same District Commission (District Office) are found in a file which, however, all relate to different persons or assets, it can be determined which notification is the one being sought on the basis of the address and the historical person.
The files series is held in 29 boxes; when placing an order with the archive both the title of the holdings and the box number must be stated.

Information on data processing: Notifications of seized property - Upper Austria

Municipal and Provincial Archives of Vienna (MA 8)

Record group: ***Magistratsdepartements und Magistratsabteilungen 1892-21. Jahrhundert*** (“municipal departments 1892–21st century”)
Holdings: ***Magistratsabteilungen 1902–21. Jahrhundert*** (“municipal departments 1902–21st century”)
Sub-holdings: ***Magistratsabteilung 119 ca. 1880-1965*** ("municipal department 119 ca. 1880-1965)
File series: ***VEAV – Vermögensentziehungs-Anmeldungsverordnung*** ("Ordinance on the Notification of Seized Property") 1947 onward (signature: 1.3.2.119.A41)

The Notifications of Seized Property (files) were stored in rows and ordered according to different specified characteristics at Vienna’s municipal district offices. In addition, two alphabetical card indices were used at each of the district offices and in their superordinate department, municipal department 62, responsible for legal matters. The indices were divided into two categories: people who had submitted a compulsory notification and those who had submitted a voluntary notification (aggrieved persons). The indices were used to locate files and to keep record of any restitution proceedings (see above). The Notifications of Seized Property and the indices were handed over to the Municipal and Provincial Archives of Vienna in 1974. There, the Notifications of Seized Property (files) were reordered by district according to the sort numbers originally

assigned to them in the district and recorded on the districts' indices of names. Due to the fact that the sort numbers originally ran chronologically and were assigned separately for compulsory notifications and voluntary notifications, from this time onward it was possible to find files under the same sort number that bore no substantive relation to one another.
The holding "Notifications of Seized Property" at the Municipal and Provincial Archives of Vienna has two distinctive features. In 1938, under the Nazi regime, Lower Austrian municipalities on the Viennese border were incorporated into Vienna [Austrian Law Gazette 1938/443 of 1 October 1938] and existing district boundaries were moved. The striking result was the creation of additional and extensive Viennese Districts ("Greater Vienna") which remained in existence until 1954:

- 22nd District: Groß-Enzersdorf,
- 23rd District: Schwechat,
- 24th District: Mödling,
- 25th District: Liesing and
- 26th District: Klosterneuburg.

For administrative reasons, from 1946 the Notifications of Seized Property were often collected and recorded for two districts; the districts created in 1938 were conflated with traditionally existing Viennese districts:

- 2nd and 20th Districts: Leopoldstadt and Brigittenau,
- 4th and 5th Districts: Wieden and Margareten,
- 8th and 9th Districts: Josefstadt and Alsergrund,
- 11th and 23rd Districts: Simmering and Schwechat,
- 13th and 25th Districts: Hietzing and Liesing,
- 19th and 26th Districts: Döbling and Klosterneuburg,
- 21st and 22nd Districts: Floridsdorf and Groß-Enzersdorf.

While the Notifications of Seized Property in the traditional districts were separated by district during the course of the 1950s, the City of Vienna handed over those of the peripheral Viennese districts to the competent Lower Austrian provincial body during the course of their reintegration into the Federal Province of Lower Austria.
The second distinctive feature relates to the most comprehensive holding, that of the 1st District (Innere Stadt). The Notifications of Seized Property are sorted into five groups:

- General files (alphabetical according to the declarant institution),
- Alphabetical by surname of the aggrieved
- Chronological according to sort number
- Alphanumerical with the preceding letter "N" (*Nachtragsmeldungen*, "supplementary notifications")
- Alphanumerical with the preceding letter "C" (cases that had for the most part become known through the Financial Directorate for Vienna, Lower Austria and Burgenland without having been formally registered).

There is just one district, the 1st District (Innere Stadt) where it is possible to find Notifications of Seized Property in the file holding that do not have file numbers solely on the basis of a surname.
The file series was created between 1946 and 1952 and is held in 231 boxes in which is sorted according to district (1 to 23). To order a file from this series at the Municipal and Provincial Archives of Vienna it is necessary to state the name of the holding *VEAV – Vermögensentziehungs-Anmeldungsverordnung* (signature: 1.3.2.119.A119), the *district and the relevant file number*. There are also two card indices attached to the file series (*Vermögensentziehungs-Anmeldungsverordnungs-Karteien*, signature: 1.3.2.119.K5 and 1.3.2.119.K6) that can be used to assist with research. The sort numbers of the districts can only be ordered for districts 1 to 23, as the files for the historical districts 24 (Mödling), 25 (Schwechat) and 26 (Klosterneuburg) were transferred to the competent Lower Austrian provincial authority.

Information on data processing: Notifications of seized property Vienna

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