

CLAIMS RESOLUTION TRIBUNAL

In re Holocaust Victim Assets Litigation
Case No. CV96-4849

Certified Award

to Claimant Andràs Hódos
represented by Andràsne Hódos

and Claimant Frigyesne Ilona Deveny
represented by Gabor Vadasz

in re Account of Katharina Steiner

Claim Number: 211033/AZ, 211661/AZ¹

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Andràs Hódos (“Claimant Hodos”) to the account of Katharina Steiner and the claim of Frigyesne Deveny, née Ilona Steiner (Vadasz) (“Claimant Deveny”) to the account of Jules (Gyula) Steiner.² This Award is to the published account of Katharina Steiner (the “Account Owner”) at the Lucerne branch of the [REDACTED] (the “Bank”).

All awards are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimants

Claimant Hodos

Claimant Hodos submitted a Claim Form identifying the Account Owner as his mother, Làszlóné Hódos, née Katharina (Katalin) Steiner,³ who was born on 10 November 1913 in Magyargencs, Hungary, and who was married to Làszló Heksch on 10 April 1939 in Balatonszàrszo, Hungary. Claimant Hodos stated that his mother, who was Jewish, owned a women’s clothing business,

¹ Claimant Deveny submitted one additional claim, to the account of her first husband Geza Vadasz, which is registered under the Claim Number 203480. The CRT did not locate an account belonging to Geza Vadasz in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

² In a separate decision, the CRT awarded the account of Jules Steiner to the Claimants. See *In re Account of Jules Steiner* (approved on 31 December 2003).

³ The CRT notes that Katalin and Katharina are the Hungarian and German forms of Katherine, respectively. See www.behindthename.com.

and that she lived in Balatonszàrszo and in Budapest, Hungary. Claimant Hodos further stated that his mother was deported to the ghetto in Budapest in the spring of 1944 and that she was liberated in 1945. According to Claimant Hodos, his parents changed their surname to Hódos in 1946. Finally, Claimant Hodos indicated that his father died in Budapest in 1954 and that his mother died in Budapest in 1997.

In support of his claim, Claimant Hodos submitted copies of: (1) his mother's birth certificate, death certificate, and passport, indicating that Làszlóné Hódos, née Katalin Steiner, was born on 10 November 1913 in Magyargencs, that her parents were Gyula Steiner and Sarolta Rosinger, and that she was married to Làszló Hódos; (2) an official certificate indicating that his father changed his surname from Heksch to Hódos in 1946; and (3) his birth registry and his mother's probate order, indicating that he is the son of Làszló Hódos and Katalin Steiner and that he is his mother's sole heir. Claimant Hodos indicated that he was born on 13 February 1951 in Budapest.

Claimant Deveny

Claimant Deveny, who is Claimant Hodos' maternal aunt, submitted a Claim Form identifying the Account Owner as her sister, Làszloné Hodos, née Katalina Steiner, who was born on 10 November 1913 in Magyargencs, and who was married to Laszlo Hodos. Claimant Deveny indicated that, as a child, her sister, who was Jewish, lived in Budapest with her parents. Finally, Claimant Deveny indicated that her sister died in Budapest in 1997.

In support of her claim, Claimant Deveny submitted copies of: 1) her own birth certificate, marriage certificates, name change certificate, and 1964 passport, indicating that Ilona Steiner was born on 29 August 1911 in Magyargencs, that she was born Jewish, that her parents were Gyula Steiner and Sarolta Rosinger, who were both Jewish, that she was married to Geza Vadasz in 1933 and to Frigyes Deveny in 1948, that she adopted the name Frigyesné Deveny upon her second marriage, that she officially changed her maiden name to Vadasz, and that she resided in Budapest; 2) her father's certificate of registration in a Swiss collective passport (also known as a *Schutzpass* [protective pass] among victims of Nazi persecution), issued by the Swiss embassy of Budapest on 23 October 1944; and 3) her father's death certificate, dated in Budapest in 1970, indicating that Gyula Steiner was born on 3 March 1879 in Budapest and that he was married to Sarolta Rosinger.

Claimant Deveny indicated that she was born on 29 August 1911 in Magyargencs.

Information Available in the Bank's Records

The Bank's records consist of printouts from the Bank's database. According to these records, the Account Owner was Katharina Steiner. The Bank's records do not indicate the Account Owner's place of residence. The Bank's records indicate that the Account Owner held an account, the type of which is not indicated, numbered 802. The Bank's records further indicate that the account was considered dormant and was transferred to a suspense account on 10 August

1955, as of which date the account had a balance of 7.25 Swiss Francs (“SF”). The account remains suspended.

The CRT’s Analysis

Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimants in one proceeding.

Identification of the Account Owner

The Claimants’ relative’s name substantially matches the published name of the Account Owner.¹ The CRT notes that the Bank’s records do not contain any specific information about the Account Owner other than her name.

In support of his claim, Claimant Hodos submitted documents, including his mother’s birth certificate, death certificate, and probate order, providing independent verification that the person who is claimed to be the Account Owner had the same surname recorded in the Bank’s records as the surname of the Account Owner and that her first name was a variation of the Account Owner’s first name, as recorded in the Bank’s records.

The CRT notes that the name Katharina Steiner appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of victims of Nazi persecution (“ICEP List”).

The CRT notes that there were no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimants have plausibly identified the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimants have made a plausible showing that the Account Owner was a Victim of Nazi Persecution. Claimant Hodos stated that the Account Owner was Jewish, and that she was deported to the ghetto in Budapest. Claimant Deveny also submitted her own birth certificate, indicating that the Account Owner’s parents were Jewish, and thus that the Account Owner was also Jewish.

The Claimants’ Relationships to the Account Owner

Claimant Hodos has plausibly demonstrated that he is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was Claimant Hodos’ mother and that he is her sole heir. These documents include Claimant Hodos’ birth register and the probate order relating to his mother’s estate.

Claimant Deveny has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was Claimant Deveny's sister. These documents include Claimant Deveny's birth certificate and Katalin Steiner's birth certificate, indicating that they had the same parents.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account was transferred to a suspense account for dormant assets, where it remains.

Basis for the Award

The CRT has determined that an Award may be made in favor of Claimant Hodos. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"). Second, Claimant Hodos has plausibly demonstrated that the Account Owner was his mother, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Further, the CRT notes that Claimant Hodos, as the Account Owner's child and sole heir, has a better entitlement to the account than Claimant Deveny, the Account Owner's sister.

Amount of the Award

In this case, the Account Owner held one account of unknown type. The Bank's records indicate that the value of the account as of 10 August 1955 was SF 7.25. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 165.00, which reflects standardized bank fees charged to the account between 1945 and 1955. Consequently, the adjusted balance of the account at issue is SF 172.25. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. The current value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 49,375.00.

Division of the Award

According to Article 23(1)(c) of the Rules, if the account owner's spouse has not submitted a claim, the award shall be in favor of any descendants of the account owner who have submitted a claim, in equal shares by representation. In this case, as noted above, Claimant Hodos is the Account Owner's child and sole heir, has a better entitlement to the account than Claimant Deveny, the Account Owner's sister, who is a descendant of the Account Owner's parents. Accordingly, Claimant Hodos is entitled to the entire Award amount, and Claimant Deveny is not entitled to share in the Award amount.

Scope of the Award

The Claimants should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on their claims to determine whether there are additional Swiss bank accounts to which they might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

Certification of the Award

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal
17 November 2006