

## **Federal High Court confirms possible Devaluation of Real Estate due to Mobile Phone Transmitter**

In its ruling V ZB 17/06 from March 30, 2006 the federal high court attested for the first time the devaluation of real estate with mobile transmitter poles on top of the roof. The general meaning of this judgment is that the FHC confirmed in the explanation of its ruling that the devaluation of real estate can be caused by mobile telecommunication installations.

The FHC stated in paragraph 23 of the ruling:

"The number of permanent radio stations on the roof of a communal building is of significant financial meaning for all involved parties. The respective interests of the beneficiaries and the remaining residents are in opposition. While the beneficiaries are realizing higher rental incomes from the mobile phone operator to erect transmitter poles, this can lead to significant depreciation for the other owner of the apartment."

The judgment can be accessed free of charge on the internet from the FHC.

### Reduce your property tax payment

You are a property owner and a mobile phone transmitter is situated on the roof of the building in which you live, or in direct vicinity to a mobile transmitter pole, then as a result of the FHC ruling, you possibly have the prospect of a reduction in the property tax, since a depreciation of the property requires an adjustment of the property tax. This is also valid for other depreciating adverse effects, like noise, malodor, etc.