

Recent Russian Court Cases

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Recent Court Decisions • The Valuation Engineer

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Notice to readers. These summaries are the Journal's own descriptions of court decisions and legal instruments, written for valuation professionals. They are not legal advice. Where the understanding of a decision or a provision is critical to a matter, the reader should consult the official text and obtain advice from a lawyer qualified in the jurisdiction concerned. Many of the sources were written in languages other than English and were read in machine translation, which can be in error; each such item is marked, and its original-language source is linked so that it can be checked.



Scope and Sources

This installment covers the Russian Federation alone. It reports three expropriation rulings, the procedure for setting an individual property's cadastral value at market value and the litigation around it, and single decisions on a bankruptcy sale, an appraiser's liability, a withdrawing member's share and an insurance claim.

The court decisions are reported from the Russian legal press — *Advokatskaya Gazeta* and the RAPSI agency — read in machine translation and linked at the point of use; the courts' own databases refused access and no official text of a judgment has been read. Article 22.1 of Law 237-FZ was read in the edition of 28 December 2025 on the ConsultantPlus mirror, not on the official publication portal.

Expropriation, Eminent Domain, and Condemnation

Including inverse condemnation. Just compensation, larger parcel, severance, project influence, stigma, and reasonably probable future use.

Russia — the Constitutional Court on the measure

Market value plus losses, paid before the taking: KS 22-P/2026. 9 April 2026. Compensation on a taking for state needs is market value plus losses including lost profit, and the sum supported by the appraiser's report must be fixed and paid, or deposited with a notary, before the property passes. By way of background, and outside the period, KS 11-P of 5 March 2020 had held that where heritage protection zones cut a plot's cadastral value from over 5.8 million to one rouble the owner must be compensated, needing to prove nothing beyond the reduction in value. And the Supreme Court's economic collegium (304-ES25-858, 23 June 2025) sent back an award on two condemned non-residential premises — municipal appraiser 3.7 million and 1.9 million, 5.6 million together; court expert 13.4 million for both, plus 1.2 million lost rent — because lost profit cannot be derived from average asking rents without proof the premises could actually have been let. *Flag:* all Russian items are reported from the legal press; the courts' own databases refused access and no official text has been read.

Source — KS 22-P/2026: <https://www.advgazeta.ru/novosti/ks-opredelil-garantii-dlya-sobstvennika-pri-izyatii-uchastka-dlya-gosnuzhd-do-vyplaty-polnogo-vozmeshcheniya/>; KS 11-P/2020: <https://www.advgazeta.ru/novosti/ks-izmenenie-rezhima-zemlepolzovaniya-ne-obyazyvaet-vladeltsa-uchastka-dokazyvat-fakt-prichineniya-emu-ubytki/>; VS 304-ES25-858: <https://www.advgazeta.ru/novosti/vs-poyasnil-nyuansy-opredeleniya-kompensatsii-pri-izyatii-nezhilykh-pomeshcheniy-ip-v-avariynom-dome/>.

Taxation

Ad valorem assessment appeals, current use against highest and best use, special-purpose and utility property, estate and gift tax, and conservation-easement valuation.

Russia — mass appraisal contested at scale

Challenges to cadastral value are among the larger bodies of valuation litigation this department has encountered. The subject is technical, the volume very large, and the questions it raises — how an administratively determined value is displaced by proof of market value — are those this survey has been following across every region.

The procedure from 1 January 2026. A new order for establishing cadastral value at the level of market value took effect on 1 January 2026. Application is made to the regional state budgetary institution — the GBU (*gosudarstvennoye byudzhethnoye uchrezhdeniye*) — that carried out the cadastral valuation. The pre-trial stage is now *mandatory for all categories of applicant*: the GBU must be approached first, and the court is open after a refusal or after the review deadline has been missed; any decision of the GBU may be challenged.

The applicant must produce a valuer's report establishing market value. The valuation date is the appraiser's own, not the date of the cadastral valuation: under article 22.1(7) of Law 237-FZ the application must be filed within six months of the date as at which the market valuation was made. The report is prepared in electronic form by a valuer belonging to a self-regulatory organization — a professional body whose membership substitutes for state licensure, not the US securities sense

of the term. There is no commission: the GBU itself decides, within thirty days, and the review attracts neither a state fee nor court costs. A subsequent court claim must identify the property by cadastral number and address, state the disputed cadastral value and the date as at which it was set, state the market value contended for, exhibit the valuation report or a judicial expert opinion, and exhibit the GBU's refusal.

Implication for appraisers. The date requirement is the point of professional interest. The report speaks as at a current date of the appraiser's choosing, and it has a shelf life: six months from that date, after which it can no longer support an application. The engagement is a current valuation with a filing deadline attached, not a retrospective one.

The mandatory pre-trial stage is also worth noting as institutional design. It routes an enormous volume of technical disputes to the body that produced the figure, at no cost to the applicant and on a thirty-day clock, and reserves the courts for what survives. Whatever one's view of the wider system, that is a serious attempt to handle mass valuation disputes at mass scale.

Scope note. This department reports the Russian cadastral procedure because it is technical, high-volume, and of direct methodological interest. It is not disinterested machinery: article 22.1(17) of Law 237-FZ expressly gives municipalities standing to contest GBU decisions that substantially reduce cadastral value, on tax-revenue grounds, and the reviewing institution is itself a regional state body. The federal subjects of the North Caucasus — Dagestan, Chechnya, Ingushetia, North Ossetia–Alania, Kabardino-Balkaria, Karachay-Cherkessia, Adygea and Stavropol Krai — are part of the Russian Federation and fall under the federal regime noted here; they are not a separate jurisdiction and are not surveyed apart from it.

Source — Russian, read in machine translation; original retained for the translated editions: Russian practitioner commentary on the 2026 cadastral value procedure, <https://expertist.ru/stati-kadastrovaya-stoimost-2026.html>

Russia — the archival cadastral value may be challenged: KS 48-P/2026. 14 July 2026. A cadastral value no longer current but still in use as a tax base may be challenged and set at market value; market value has primacy as an individual valuation. Against that, VS 304-ES25-3418 (27 November 2025) refused a refund of 624 million roubles of rent for years before a cadastral value of 15.7 billion was reset at a market 5.3 billion — the correction operating forward only. *Flag:* press-sourced, as above.

Source — KS 48-P/2026: <https://www.advgazeta.ru/novosti/ks-dopustil-osparivanie-arkhivnoy-kadastr-ovoy-stoimosti-dlya-nalogooblozheniya/>.

Lending, Foreclosure, and Mortgage Regulation

Origination and refinance appraisals, GSE, FHA and FIRREA independence rules, deficiency actions, and what loss the valuation actually caused.

Russia — ten percent of cadastral, and the limitation clock. A bankrupt's flat — cadastral value 3.4 million, the manager's own valuation 3.2 million — was sold on 19 March 2019 at 333,700 roubles, about ten percent, the asking price having fallen in stages from 2.9 million. The lower courts annulled the sale, counting the one-year limitation period from the day in 2021 on which the owner learned of the registry entry. The Supreme Court (19 May 2026) vacated the annulment and remanded: the period is tied to the auction, and the courts must establish when the owner ought

to have known of the violation. In 307-ES25-13338 a flat sold by a later bankrupt for 5 million — above its cadastral value of 4.8 million, below an expert range starting at 6.3 million — was held not open to challenge on the price difference alone; the Supreme Court set aside three lower-court decisions and upheld the buyer's title. Both press-sourced; the date of the second ruling was not established.

Source — VS 78-KG26-8-K3: <https://www.advgazeta.ru/novosti/vs-poyasnil-nyuansy-osparivaniya-tor-gov-po-prodazhe-zhilya-grazhdanina-bankrota-i-techeniya-sroka-iskovoy-davnosti/>; VS 307-ES25-13338: https://rapsinews.ru/judicial_analyst/20260423/311793565.html.

Valuer and Appraiser Professional Liability

Negligence, breach of contract, and rarely fraud against the appraiser; bracket and margin of error, intended use, and USPAP compliance.

Russia — the report is presumed reliable: VS 305-ES26-4150. An appraiser's report at 30.8 million roubles against a court expert's 24.3 million (21.4 million net of improvements) is presumed reliable under article 12 of the valuation law; disagreement about the price is not a basis for damages unless the report breached valuation law. Press-sourced.

Source — VS 305-ES26-4150: <https://www.advgazeta.ru/novosti/vs-zashchitil-publichnogo-sobstvennik-a-ot-vzyskaniya-arendatorom-ubytkov-pri-raznoglasiyakh-po-tsene/>.

Family Law, Divorce, and Equitable Distribution

Date-of-value contests, discounts, and whether a contemplated subdivision or development is reasonably probable.

No decisions in this category this quarter.

Estate, Trust, and Probate

Date-of-death value, lack-of-control and marketability discounts, and mixed real-estate and business interests.

No decisions in this category this quarter.

Partnership, Shareholder, and Buy-out Disputes

Fair value against fair market value, and whether an asset or cost approach is appropriate when the real estate is an operating asset.

Russia — the expert's thirty roubles. 25 April 2025. A thirty-percent share valued by an expert at thirty roubles, against balance-sheet net assets of 74.5 million and a suspicious 305 million of affiliated debt: the court may not rely on the expert alone without testing objective asset data. Amendments to the limited-company law in force from January 2026 now permit net assets to be set at market value by an appraiser — a statute, not a judgment. Press-sourced.

Source — VS 305-ES24-23344: <https://www.advgazeta.ru/novosti/vs-poyasnil-nyuansy-opredeleniya-dol-i-uchastnika-vyshedshego-iz-ooo/>.

Insurance, Casualty, Environmental Diminution, and Private Contract Damages

Before-and-after value, cost to cure against stigma, wildfire and contamination, insurance appraisal clauses, options, and partition.

Russia — shelling is not “military action”: VS 305-ES24-1910. 3 February 2025. An insurer could not refuse cover for shelling damage in the Belgorod region under a military-action exclusion; the valuer’s estimate exceeded 104 million roubles, the claim was 13.5 million. Press-sourced.

Source — VS 305-ES24-1910: <https://www.advgazeta.ru/novosti/strakhovshchik-ne-mozhet-otkazat-v-vyp-latakh-za-povrezhdenie-imushchestva-v-belgorodskoy-oblasti-iz-za-obstrelov/>.