

TERMS OF REFERENCE

Legal and Institutional Review of Property Administration and Physical Assessment of Properties under KPCVA Administration

Kosovo Property Comparison and Verification Agency (KPCVA)

Ref. No.: XK-KCA-544814-CS-CQS

1. Background

The Kosovo Property Comparison and Verification Agency (KPCVA) is the institutional successor to the Housing and Property Directorate (HPD) and the Kosovo Property Agency (KPA). KPCVA is responsible for resolving property-related claims arising from the post-conflict period and for administering certain categories of properties under its mandate.

KPCVA's responsibilities derive from, inter alia:

- UNMIK Regulation No. 1999/23 (abandoned property administration);
- UNMIK Regulation No. 2000/60;
- UNMIK Regulation No. 2006/50 on the Resolution of Claims Relating to Private Immovable Property, including Agricultural and Commercial Property;
- Law No. 03/L-079 on the Implementation of UNMIK Regulation 2006/50;
- Current KPCVA legislation and regulatory framework.

The assignment shall include a comprehensive legal and institutional analysis of the current mandate of the Kosovo Property Comparison and Verification Agency (KPCVA), with particular focus on property administration, implementation of the rental scheme, and the physical assessment of properties.

The assignment shall further examine available options for the management and treatment of properties currently under administration in cases where the rightful owners cannot be contacted, including the development of practical, legally sound, and operationally feasible approaches for addressing such cases.

In carrying out this assignment, close cooperation shall be maintained with relevant internal and external stakeholders in order to support the identification and development of feasible, sustainable, and mandate-consistent solutions aligned with the institutional responsibilities of the KPCVA.

2. Objective of the Assignment

The objective of this assignment is to:

1. **Assess the physical condition of properties under the administration of the KPCVA**, based on inspection reports prepared by the KPCVA regional offices and through direct inspection of a sample of administered properties, with the aim of identifying potential risks they may pose.
2. **Analyze the existing legislative and regulatory framework governing the functioning of the KPCVA**, with particular focus on the provisions related to the administration of properties, the

implementation of the rental scheme, and the treatment of properties under the Agency's administration in cases where the rightful owners cannot be contacted. The analysis shall aim to identify areas requiring legal clarification, institutional strengthening, and procedural improvement, and shall include the development of practical, legally sound, and operationally feasible approaches for addressing such cases.

3. **Review and assess the mandates inherited from the former Housing and Property Directorate (HPD) and the Kosovo Property Agency (KPA)**, including the applicable legal instruments, notably UNMIK Regulation No. 1999/23 on the Establishment of the Housing and Property Directorate and the Housing and Property Claims Commission, with particular reference to Article 1.1 concerning abandoned properties placed under administration; UNMIK Regulation No. 2000/60 on Residential Property Claims and the Rules of Procedure and Evidence of the Housing and Property Directorate and the Housing and Property Claims Commission; UNMIK Regulation No. 2006/50 on the Resolution of Claims Relating to Private Immovable Property, including Agricultural and Commercial Property; and Law No. 03/L-079 on the Implementation of UNMIK Regulation No. 2006/50.

This assignment focuses on analysis and recommendations. It does not include legislative adoption or implementation of reforms.

3. Scope of Services

The Consultant/expert shall carry out the following tasks:

3.1 Task 1 – Inception and Rapid Assessment

The Consultant shall:

- Review available inspection reports prepared by the KPCVA regional offices concerning properties under administration.
- Carry out direct inspection of a representative sample of administered properties, in coordination with the KPCVA.
- Assess the physical condition of administered properties.
- Identify practical challenges affecting the protection or use of administered properties.

Deliverable:

Property Administration Assessment Report:

A report presenting the findings from the review of inspection reports prepared by the KPCVA regional offices and from the direct inspection of the selected sample of administered properties, including an assessment of their physical condition, status, and associated risks.

3.2 Task 2 – Legal and Institutional Analysis

The Consultant shall:

- Conduct a comprehensive review of the KPCVA legal framework with focus on the administration of properties and the implementation of the rental scheme.

- Develop practical, legally sound, and operationally feasible approaches for addressing properties under the Agency's administration in cases where the rightful owners cannot be contacted.
- Identify areas where legal clarification, institutional strengthening, regulatory reform, or procedural improvement is required to ensure more effective implementation of the KPCVA mandate.

Deliverable:

Legal and Institutional Analysis Report:

A report presenting a comprehensive analysis of the legal framework governing properties under the administration of the KPCVA, including cases where the rightful owners cannot be contacted, together with the relevant legal instruments, and preliminary conclusions on their implications for the current mandate of the KPCVA.

3.3 Task 3 – Policy Options and Institutional Recommendations

The Consultant shall:

- Develop policy scenarios for:
 - o Future of administered properties and rental scheme;
- Review and assess the mandates inherited from the former Housing and Property Directorate (HPD) and the Kosovo Property Agency (KPA), including their relevance and implications for the current mandate of the KPCVA.
 - o Develop recommendations on the treatment of specific properties identified as Inventory and Survey cases, including the assessment of options for their possible removal from the KPCVA's responsibility, where legally justified and institutionally feasible.;
- Analyze and provide recommendations regarding:
 - o Leasing of administered properties where rightful owners cannot be contacted;

Deliverable:

Policy Options and Recommendations Report

3.4 Task 4 – Stakeholder Consultation and Finalization

The Consultant shall:

- **Organize and facilitate two stakeholder workshops;** Each workshop shall include no fewer than ten (10) participants, while the final number and composition of participants shall be determined in consultation with the Kosovo Property Comparison and Verification Agency (KPCVA). The consultant shall bear full financial and logistical responsibility for the organization and implementation of the workshops, including all associated costs related to venue, materials, and other necessary arrangements.
- Engage relevant institutions and legal experts;
- Integrate feedback into final outputs;
- Present final findings to KPCVA management.

Deliverable:

A consolidated draft final report integrating all findings, analyses, and recommendations under the assignment, submitted for review and comments by the KPCVA, followed by a final consolidated report revised in light of comments received and accompanied by an executive summary, prioritized recommendations, proposed next steps, and a presentation of the main findings and recommendations to the KPCVA and other designated stakeholders.

4. Deliverables and Payment Schedule

Deliverable	Timeline	Payment %
Inception and Rapid Assessment Report	Month 1	20%
Legal and Institutional Analysis Report	Month 2	20%
Policy Options and Recommendations Report	Month 3	20%
Draft Final Consolidated Report	Month 4	20%
Final Report & Presentation	Month 5	20%

Payments shall be made upon written acceptance by KPCVA.

5. Duration and Level of Effort

Duration: From the date of contract signature until 30 November 2026;

For this Lump-Sum Contract, the Consultant shall propose the staffing arrangement and the corresponding Level of Effort required for the effective implementation of the assignment.

6. Reporting and Institutional Arrangements

The Consultant shall report to the Executive Director of KPCVA.

KPCVA shall provide:

Access to relevant legal documentation;

Access to anonymized case files;

Inspection and administrative data;

All reports shall be submitted in English.

All deliverables are to be prepared in draft form and revised following comments from the KPCVA. Once revised, the deliverable will be reviewed once more, and if satisfactory, it will be formally accepted.

Payment for all deliverables is conditional on final acceptance of that deliverable.

7. Qualification Requirements**7.1 The Consultant Experience**

The Consultant shall demonstrate the following:

Minimum 10 years of experience in physical property evaluation.

Experience in legal policy analysis;

At least three similar assignments completed within the last 10 years.

7.2 Availability of the Key Personnel

The Consultant shall propose:

Senior Property Expert (minimum 10 years' experience);

Physical property condition evaluator expert (minimum 10 years' experience)

8. Selection Method

Consultants will be selected in accordance with the World Bank's Procurement Regulations for Investment Project Financing (IPF) Borrowers (July 2016, revised November 2017, August 2018, and November 2020), using Consultant Qualification Selection (CQS) method.

Expressions of Interest will be evaluated based on:

Criteria	Weight
The Consultant General Qualifications	20%
Relevant Experience in legal	30%
Physical property evaluation	30%
Organizational Capacity and Availability	20%

NOTE: Only the highest-ranked firm will be invited to submit a technical and financial proposal.

9. Confidentiality and Ethical Standards

The Consultant shall:

Maintain confidentiality of all data;

Comply with World Bank Anti-Corruption Guidelines;

Avoid conflict of interest.

10. Submission Requirements

10.1 Expression of Interest (EOI) Submission

Interested and eligible consulting firms are invited to submit an Expression of Interest (EOI) demonstrating their qualifications to perform the services.

The EOI shall include the following documents:

(i) Cover Letter

- Expression of interest in the assignment;
- Confirmation of eligibility under World Bank Procurement Regulations;
- Confirmation of availability during the assignment period.

(ii) The Consultant Profile

- Organizational profile;
- Core areas of expertise;
- Years of operation.

(ii) Relevant Experience

The Consultant shall provide:

- Description of at least three (3) similar assignments completed within the last 10 years;
- Client name;
- Assignment description;
- Duration;
- Contract value (optional);
- Role of the firm;
- Contact reference (if available).

Experience should demonstrate expertise in:

- Legal as well as physical evaluation of property condition;
- Policy analysis and legal drafting.

(iv) Availability of the Key Personnel (Short CVs)

At the EOI stage, firms should submit:

Short CV (2–3 pages) of proposed personnel.

Names and brief profiles of other proposed experts (if applicable).

(Full CVs will be required at proposal stage.)

(v). Conflict of Interest Declaration

Signed statement confirming:

- No conflict of interest;
- No debarment by the World Bank;
- Compliance with Anti-Corruption Guidelines.