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RE-EVALUATION REPORT

approved according to Article 41

of the Rules of Organization and Functioning

NATALIA MĂMĂLIĞĂ

candidate for the position of judge of the Central Court of Appeal

subject of evaluation under Article 3 para. (1) Law No. 252/2023

21 April 2026

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Evaluation Panel A of the Commission (hereinafter the “Commission”) established by Law No. 65/2023 on the External Evaluation of Judges and Candidates for Judges of the Supreme Court of Justice and discharging the powers under Law No. 252/2023 on the external evaluation of judges and prosecutors and amending some normative acts (hereinafter “Law No. 252/2023”) deliberated on the matter on 27 March 2026 and approved the following re-evaluation report on 21 April 2026. The members participating in the approval of the report were:

1. Andrei BIVOL
2. Lilian ENCIU
3. Lavly PERLING

The Commission prepared this re-evaluation report which is confined to the matters referred to by the Superior Council of Magistracy and shall be examined only in conjunction with the initial evaluation report.

I. Introduction

1. On 6 November 2025, the Commission approved the report concerning Mrs. Natalia Mămăligă (hereinafter the “subject”) under Law No. 252/2023. It proposed that the subject promotes the external evaluation made according to the criteria set in Article 11 of Law No. 252/2023 (hereinafter the “initial evaluation report”).
2. On 18 November 2025, the Superior Council of Magistracy (hereinafter the „SCM”), by decision No. 618/44, rejected the report and directed the Commission to resume the evaluation procedure (hereinafter the “SCM’s decision”).
3. The Commission conducted its resumed evaluation pursuant to Law No. 252/2023 and the Commission’s Rules of Organization and Functioning (hereinafter the “Rules”).
4. Following the re-evaluation, the Commission concluded that the subject meets the criteria identified in Law No. 252/2023 for ethical and financial integrity as no serious doubts determined by facts have been found as to the subject’s compliance with these criteria.

II. Grounds for the resumed evaluation

5. Under Article 18 para. (3) lit. b) of Law No. 252/2023:

„(3) By reasoned decision, adopted no later than 30 days after receipt of the documents referred to in Article 17 para. (6), the Superior Council of Magistracy shall: [...] b) reject the evaluation report and order, once only, that the

evaluation procedure of the judge be reopened if it finds factual circumstances or procedural errors which could have led to the passing or, as the case may be, the failure to pass the evaluation.”

6. Under Article 20 para. (2) and (3) of Law No. 252/2023:

„(2) When the evaluation procedure is reopened, the Evaluation Commission shall examine the matters referred to it by the respective council or, as the case may be, by the Supreme Court of Justice, as well as additional information which for objective reasons could not be presented previously, and if the subject of the evaluation agrees, shall hold repeated hearings. The agreement or, as the case may be, its absence shall be communicated to the Evaluation Commission within 3 working days from the request of the Evaluation Commission.

(3) The report on the judge's re-evaluation shall be approved by the Evaluation Commission in accordance with the rules laid down in Article 17.”

7. The initial evaluation report identified three matters that, upon initial review, raised doubts as to compliance with both ethical and financial criteria established by law. The SCM concurred with the conclusions on the potential ethical breach related to the subject's decisions and her compliance with the wealth and personal interests declaration regime. However, it seemed to disagree with the conclusions for the potential inexplicable wealth.
8. SCM upheld the findings regarding the subject's beneficial ownership of apartment No. 2, as defined in the initial evaluation report. However, it noted that the subject invested more than was "strictly necessary" to finish and equip the apartment, while sisters and parents were minimally involved, raising concerns that this may not have been fully investigated.
9. It further suggested reassessing the parents' financial capacity, focusing on funds used to purchase property on Mircea cel Bătrân Street, paying the two installments for the non-residential space on Hristo Botev Street, and covering the declared donations.
10. The SCM also noted that the circumstances of the grandmother's selection and investment in the apartment on Hristo Botev Street were not established.
11. Finally, noting the contradictions with *Pilipenco* (Report accepted by SCM's decision No. 547/41 of 21 October 2025) and other cases, the SCM noted that it is interested in developing a predictable, coherent and uniform treatment of the expenses identified in addition to the daily living expenses as estimated by the consumption expenditure per population (hereinafter "CEP").
12. In ordering the resumption of the evaluation, the SCM did not identify any specific factual circumstances or procedural errors that could have led to the

non-promotion of the evaluation. In the SCM's view, further analysis of the factual circumstances described in its decision at §§ 3.8.-3.10. would be required (§ 3.12. of the SCM's decision).

III. Resumed evaluation procedure

13. On 28 November 2025, the Commission received the SCM's decision. The SCM did not send any additional information or documents.
14. On 13 January 2026, the Commission asked the subject to provide additional information by 25 January 2026 to clarify certain matters (hereinafter the "first round of questions"). The subject provided answers and documents within the deadline.
15. On 16 February 2026, the subject submitted additional documents. The Commission included them in the re-evaluation file and considered them in its analysis.
16. The Commission sought and obtained additional information from public institutions and private entities.
17. During the resumed evaluation, two petitions were received from individuals. These petitions did not address the aspects mentioned in the SCM's decision; rather, they reflected dissatisfaction with the subject's court decisions and did not evidence any ethical breaches. Although no objective circumstances preventing the submission of the petitions in the initial evaluation were provided, as required by Article 20 para. (2) of Law No. 252/2023, the petitions were analyzed and included in the evaluation file.
18. On 17 March 2026, the Commission notified the subject that it intended to discuss the aspects referred to in the SCM's decision at a public hearing on 27 March 2026.
19. As provided in Article 41 para. (4) of the Rules, the subject sought and was provided access to all the materials in his re-evaluation file on 23 March 2026.
20. On 27 March 2026, the Commission held a public hearing. At the hearing, the subject stated that she had no corrections or additions to the answers previously provided in response to the requests for information.
21. After the hearing, the subject submitted an additional document. This was included in the re-evaluation file and considered in the analysis.

IV. Analysis in the resumed evaluation

22. The Commission analyzed and, where necessary, requested further clarifications on the potential difference between the assets, expenses, and income (hereinafter "unjustified or inexplicable wealth"), based on the matters noted in the SCM's decision.
- a. Subject's parents' acquisition of three apartments and two parking spaces on Mircea cel Bătrân Street, Chișinău;
 - b. Subject's parents' acquisition of a non-residential space on Hristo Botev Street, Chișinău;
 - c. Subject's grandmother's acquisition of an apartment on Hristo Botev Street, Chișinău;
 - d. Donations from the subject's mother in 2016 and during 2021-2024;
 - e. Treatment of additional expenses beyond CEP-estimated living costs.

A. Subject's parents' acquisition of three apartments and two parking spaces on Mircea cel Bătrân Street, Chișinău

Commission's findings (initial evaluation report, §§ 96-106)

23. The subject's parents acquired three apartments on Mircea cel Bătrân Street, Chișinău ("apartments No. 1, No. 2, No. 3"), based on contracts with Basconslux LLC, signed in 2005, 2006, and 2007, respectively. The parents further invested in two underground parking spaces at the same address in 2008.
24. As the signature and payment schedule for these investment contracts fall outside the evaluation period (2013-2024), no inexplicable wealth can be determined prior to 2013. Therefore, in the initial evaluation, the financial capacity of the subject's parents was assessed only in connection with the acquisition of apartment No. 2, for which the contractual payment schedule (2006-2014) extended into the evaluation period.
25. The subject declared having habitation rights in apartment No. 2 since 2012, and that she contributed to the interior finishing works and furnishing. As of 2023, the subject declared to the National Integrity Authority (hereinafter the "NIA") ownership right based on a contract of alienation with the condition of parents' lifetime care. These circumstances, together with the parents' insufficient financial capacity to acquire the apartment in 2013-2014, supported the determination of the subject's beneficial ownership. However,

attributing the acquisition price to the subject's wealth calculation did not result in a negative balance for 2013 and 2014.

26. Regarding the other two apartments and parking spaces, no beneficiary relationship was determined in the initial evaluation. There was no evidence of continued residence or unrestricted use, bank transfers, or major cash withdrawals preceding the payments, indicators of finishing or repair works, or furniture expenses made by the subject.

SCM findings (SCM's decision, § 3.8., 3.9.)

27. The SCM underlined deficiencies in assessing the timing of the actual payments for the immovables on Mircea cel Bătrân Street. These deficiencies arose from two settlement documents (*acte de verificare a decontărilor*) issued by the construction firm Basconslux LLC.
28. These two documents reflected certain payments for apartments No. 2 and No. 3 that were made during the evaluation period. The SCM requested a reassessment to determine whether the parents had sufficient funds at the time of payments.

Subject's explanations in the re-evaluation

29. In the first round of questions, the subject was asked to clarify the source of funds used by the parents for the acquisition of apartments No. 1, No. 2, and No. 3, and two parking spaces by the applicable payment dates. She was also asked whether any additional agreements or other arrangements existed concerning the installments (payment dates).
30. In reply (question 1), the subject stated that the above-mentioned immovables were paid in installments. She listed ten payments, totaling 778,331 MDL, as reflected in the settlement documents, issued by the construction company Basconslux LLC and submitted by the subject in the second round of questions of the initial evaluation.
31. The subject further declared that, according to her mother's recollection, the payments were made in cash at the construction company's accounting office, not by bank transfer.
32. The subject stated that she did not know why the contractual payment terms were breached or whether any request to extend the contractual term had been made, as she was not a party to the investment contracts and did not make any payments for the acquisitions. She further stated that, according to her parents, they do not recall whether they requested an extension of the payment deadline.

33. As regards the source of funds used by her parents to acquire the apartments and parking spaces, the subject reiterated that, according to her mother (O.M.), the purchase price was paid from income derived from her parents' commercial activity and from the sale of an apartment on Milescu Spătaru Street. She requested that her mother's declaration dated 3 October 2025, submitted during the initial evaluation, be taken into consideration.
34. On the parent's commercial activity carried out under a patent (retail trade of food products and main consumer goods at local markets and stores), the subject reiterated the explanations provided during the initial evaluation.
35. In addition, she explained that her parents sold the business (including the store) in 2017, the same year in which they also sold the immovables located in Drochia village (subject's parents' house and grandparents' house). As they could not have foreseen needing documentation in 2025 about the transactions, they did not keep records of the income or activity. Given that over eight years have passed, they are now unable to provide further documents or details.
36. In the hearing, the subject confirmed the accuracy of her answers provided during the evaluation procedure. Regarding the inclusion in her wealth calculation of the payments made in 2013 and 2014 for apartment No. 2, she reiterated that these were made by her parents under an investment contract signed as early as 2006. The subject further emphasized that all finishing and furnishing works took place by 2014, as confirmed by the 2014 evaluation report for this immovable (submitted during the initial evaluation), prior to her appointment as a judge in 2015.

Commission's assessment

37. To assess the parents' financial capacity to acquire three apartments and two parking spaces on Mircea cel Bătrân Street, Chişinău, both income and expenses were analyzed for the relevant period for each immovable. The subject's relationship with these immovables was also analyzed.

Parents' income from entrepreneurial activity in the period 2000–2017

38. In the initial evaluation report, the 975.000 MDL declared by the subject's mother under the 2012 fiscal amnesty and claimed to derive from prior activity – was not accepted, absent the evidence confirming the availability of such funds (§ 96).

39. However, regarding the subject's parents' financial capacity, the SCM suggested applying the same methods used in the *Bostan case* to quantify funds received from the patent-based activities and/or local markets.
40. The subject submitted her mother's entrepreneurial patent (*patentă de întreprinzător*) valid for 2000 and 2001, information from State Fiscal Service (hereinafter "SFS") related to her father's entrepreneurial patent valid for 2002, 2007 and certain months in 2003, 2005, 2006, 2009, as well as the individual enterprise "M.O." license for tobacco retail trade valid for one year since 2008. The activity income, according to her mother, ranged from 40,000 MDL to 80,000 MDL (§§ 91-92 of the initial evaluation report).
41. In the re-evaluation, the subject submitted no additional evidence of her parents' business income, explaining in essence that, given the passage of time and the nature of local market trade, sales were conducted entirely in cash and did not require bank accounts or card terminals at the time.
42. As with other similar cases, where no other information or documents can be established to substantiate revenue, the burden of proof lies with the subject. Such cases require documents or information that establish a logical link between the activity carried out and the amount of income earned (e.g. internal records or ledgers of receipts and activities carried out, contracts or agreements with beneficiaries or suppliers, including customer confirmations).
43. In the absence of other corroborating evidence to justify a quantifiable income derived from the parents' commercial activity, the Commission established a reliable income of only 16,346 MDL for 2000-2017, based on SFS data.
44. Alternatively, should the Commission rely on statistical data regarding the average monthly net income by economic activity, calculated in accordance with the National Bureau of Statistics (hereinafter "NBS") methodology and available on the NBS website¹, the potential net income, for two persons operating in the real sector, derived from retail trade activity, throughout the period 2000-2017, would have varied from 9,000 MDL to 78,000 MDL per year.

¹https://statbank.statistica.md/PxWeb/pxweb/en/30%20Statistica%20sociala/30%20Statistica%20sociala_03%20FM_SAL010_serii%20anuale/SAL010100.px/?rxid=b2ff27d7-0b96-43c9-934b-42e1a2a9a774

https://statbank.statistica.md/PxWeb/pxweb/en/30%20Statistica%20sociala/30%20Statistica%20sociala_03%20FM_SAL010_serii%20anuale_serii%20intrerupte/SAL010600.px/?rxid=b2ff27d7-0b96-43c9-934b-42e1a2a9a774

https://statbank.statistica.md/PxWeb/pxweb/en/30%20Statistica%20sociala/30%20Statistica%20sociala_03%20FM_SAL010_serii%20anuale_serii%20intrerupte/SAL013100.px/?rxid=b2ff27d7-0b96-43c9-934b-42e1a2a9a774

This corresponds to the rough, approximate figures given by the subject and her parents.

45. In total, for the period 2000-2017, the subject's parents may have accrued a potential sum of 818,000 MDL. As such, the possibility of the subject's parents accumulating funds from the above-mentioned entrepreneurial activities is not entirely ruled out.

Parents' income from the sale of an apartment in 2005

46. In the first round of questions of the initial evaluation (question 4), the subject declared, in addition to the above income, that 25,000 EUR from the sale of a 49,2 sq.m. apartment (two-room) on Milescu Spătaru Street, Chișinău. The data from the cadaster show that the 2005 sale price of this apartment was 26,236 MDL (equivalent to 1,671 EUR at the time).
47. In the re-evaluation, the subject did not submit supplemental documentary evidence to substantiate the declared proceeds from the sale of this apartment. The Commission acknowledges that, in 2005, the price of a similarly sized apartment in Chișinău may have been higher than the contractual price indicated². However, the explanations provided by the subject alone are insufficient to accept the declared acquisition price of 25,000 EUR as an incoming financial flow.

Parents' payments for Mircea cel Bătrân immovables

48. In the re-evaluation, the construction company Basconslux was asked to provide information related to the acquisition of the immovables on Mircea cel Bătrân Street by the subject's parents (contracts, additional agreements, invoices, payment orders, schedule of all payments made etc.). Basconslux LLC submitted two settlement documents dated 22 December 2025, stating that they do not have any additional documents due to the liquidation of the archive.
49. These settlement documents are identical to those provided by the subject in the initial evaluation. However, in some of the payment lines (in the document presented by the subject), the number of the apartment(s) was erased or not included in the documents. When asked for clarification, the subject could not provide any explanation. Instead, the subject expressly

² 1. <https://www.moldova.org/preturile-medii-la-apartamente-in-orasul-chisinau-in-luna-august-2005-4711-rom/> 2. <https://ionita.md/2024/06/14/155-analize-economice-evolutia-preturilor-pe-piata-imobiliara-din-mun-chisinau/>

requested the construction company Basconslux to clarify the difference between the settlement documents (provided to her vs. provided to the Commission).

50. By letter of 10 February 2026, without offering any clarifications, Basconslux LLC listed the apartments and the amounts paid for them, as indicated in the table below. The amounts paid correspond to the apartments' contractual prices.

Apartment No. 1	Apartment No. 2	Apartment No. 3
208,399 MDL	211,018 MDL	253,914 MDL

51. When added together, these three sums do not exceed the sum of the payments in the settlement documents, 778,331 MDL. And this amount corresponds to that reported by the subject to have been paid in ten installments for the apartments No. 1, No. 2, and No. 3 and two parking spaces (see § 30 above).
52. When asked about the invoices issued by Basconslux, the SFS reported that in VAT declarations for 2006–2018, the company included only the invoices dated 27 March 2018 and 12 April 2018, which relate to the two parking spaces.
53. The analysis of the settlement documents indicates payments made between 19 September 2006 and 31 May 2017 and are identifiable as relating to apartment No. 2 and apartment No. 3. No payment is identifiable as relating to apartment No. 1 and the two parking spaces.
54. Although all payments are dated, four of them do not contain information identifying the apartment to which they relate. These unspecified payments were made on 19 September 2006 (56,001 MDL), 25 September 2006 (56,001 MDL)³, and 30 October 2014 (24,245 MDL). In these circumstances, there is no clear schedule of the payments made by the subject's parents for each immovable located on Mircea cel Bătrân Street.

Apartment No. 1

55. The subject's parents signed the investment contract relating to the construction of apartment No. 1 on 21 October 2005. According to the settlement documents, no concrete payments are identified for this apartment.

³ There are two payments made on 25 September 2006 of the same amount of 56,001 MDL.

Given this, the parents' financial capacity to acquire was assessed for the period 2000-2005, that is, before the contract signature.

56. Based on the information from the SFS, during 2000-2005, the subject's parents recorded a total net income of 14,190 MDL. Further, according to the contracts provided by the cadaster, the two would also have obtained, before the signature date of 21 October 2005, a net income of 6,236 MDL (sale price minus purchase price) from the sale of the apartment on Milescu Spătaru Street.
57. Therefore, the parents lacked sufficient verifiable income to cover even the first payment of 56,001 MDL made on 19 September 2006, although it is not clear whether it was intended for apartment No. 1. Since the price for apartment No. 2 was paid in 2013 and 2014, and the contract for apartment No. 3 was signed only in 2007, it may be assumed that the first three payments made in 2006, as reflected in the settlement documents (3x56,001 MDL), were intended for apartment No. 1. This is corroborated by the subject's consistent explanation throughout the evaluation that all immovables on Mircea cel Bătrân Street were paid for in accordance with the settlement documents.
58. According to the alternative calculation, as described at § 44 above, in addition to the indicated income (14,190 MDL+6,236 MDL), the statistical income derived from retail activity during the period 2000–2005 would be 111,390 MDL. Therefore, the parents' total income of 131,816 MDL (including the statistical one) would likewise be insufficient to cover the parents' household daily expenses and the three payments in 2006 (168,003 MDL=3x56,001 MDL) for unspecified apartments as provided in the settlement documents (see § 54 above).
59. The expenses for apartment No. 1 cannot be attributed to the subject because the Commission did not establish circumstances that would suggest the subject's effective ownership (such as a financial link, continued residence, or effective control). In addition, the Commission emphasizes that any payment related to this apartment would have fallen outside the evaluation period, as the ownership was registered in 2012.

Apartment No. 2

60. The subject's parents signed the investment contract relating to the construction of apartment No. 2 on 20 March 2006. According to the settlement documents, the payments for apartment No. 2 were made on 11 December 2013 and 14 November 2014. Their total amount of 248,918 MDL (37,900 + 211,018) exceeds the contractual price for this apartment - 211,018 MDL. These circumstances may show that certain payments were intended to

cover the cost of the other two apartments or the parking spaces on Mircea cel Bătrân Street.

61. Between 2013 and 2014, the subject's parents also incurred 111,840 MDL in CEP expenses, 17,900 MDL in payment for apartment No. 3, and 24,245 MDL in payment for an unspecified apartment on Mircea cel Bătrân Street, 150,000 MDL for wedding expenses of another daughter, and a loan repayment to C.G. of 260,820 MDL, leading to total expenses of 813,723 MDL.
62. On the other hand, during 2013-2014, the subject's parents reported a total income of 308,203 MDL, including the subject's donation, the parents' pension proceeds, and the father's income from a company engaged in the cultivation of cereal and forage crops. Given that the subject provided no corroborating proof to substantiate the parents' income from the activity based on a patent, the declared income could not be quantified.
63. According to the alternative calculation described in § 44 above, the statistical income from retail activity during 2013-2014 would be 119,918 MDL. Therefore, the total parents' income of 428,121 MDL (308,203 + 119,918) would likewise be insufficient to cover the parents' household total expenses of 813,723 MDL for that period, including the 2013-2014 payments (266,818 MDL) for apartment No. 2, as provided in the settlement documents (see §§ 60-61 above).
64. Based on the available data and considering the 2013-2014 negative income-expense balance of the parents' household of -505,520 MDL (or -385,602 MDL with the inclusion of statistical income), the Commission concludes that the subject's parents did not have sufficient financial capacity for the expenses for the acquisition of apartments No. 2.
65. In the initial evaluation report, the Commission established the following factors indicating the subject's beneficial ownership of apartment No. 2:
 - the continuous living in this apartment since 2012 (see §§ 76, 77);
 - the declaration to NIA of the habitation right in this apartment since 2016 (see § 50);
 - the financial contribution to the finishing works in 2013 and 2016 (see §§ 78, 79), and in 2014, by donating 295,249 MDL (equivalent to 14,000 EUR) to the subject's mother (see § 80);
 - the sale of the apartment located on Ceucari Street, Chişinău, in 2017, and no purchase of another apartment;

- in 2023 the subject and her parents signed a contract transferring ownership of the subject to her parents, on the condition of her parents' lifetime care (see § 102);
 - the apparent insufficiency of the parents' financial resources to cover the apartment installment payments for the period 2013-2014 (see § 103).
66. In the re-evaluation, the Commission considered the above factors and presented to the subject the calculations that led to the conclusion of a positive balance at the end of 2013 and 2014. In her reply to the first round of questions (question 7), the subject partially agreed with the Commission's calculations, disagreeing only with the Commission's findings of the beneficial ownership of the subject over apartment No. 2. She argued for the exclusion of the expenses for this apartment from her financial outgoing flows in 2013 (37,900 MDL) and 2014 (211,018 MDL).
67. Even with the attribution of the expenses for apartment No. 2 in the subject's outgoing flows, her financial balance for 2013 and 2014 remains positive. The detailed incoming and outgoing flows for these two years, and the tables of income and expenses for 2013 and 2014, were described in the annex to the hearing notice (§§ 79-85).
68. In the re-evaluation, the Commission did not identify possible additional factors, as suggested by the SCM (such as the subject's financial involvement in the repair/finishing works and furnishing of apartment No. 2 to a degree greater than what was strictly necessary), which would have implication on the subject's financial balances in 2013 and 2014.

Apartment No. 3

69. The subject's parents signed the investment contract relating to the construction of apartment No. 3 on 12 April 2007. According to the settlement documents, the payments related to apartment No. 3 would have been made on 11 December 2013, 17 January 2017 and 31 May 2017. Their total amount 303,165 MDL (17,900 + 105,000 + 180,265) exceeds the contractual price for this apartment of 253,914 MDL. These circumstances may show that certain payments were intended to cover the cost of other immovables (for instance, the parking spaces).
70. In §§ 60-64 above, the subject's parents' financial capacity was analyzed for 2013 and 2014. The Commission concluded that the parents did not have sufficient financial capacity to absorb the purchase payments for apartment No. 2. It follows that no sufficient funds would have been to also cover the payment for apartment No. 3. The 2017 payments for apartment No. 3 are

included in the subsequent analysis for the non-residential space on Hristo Botev Street.

71. Similarly to apartment No. 1 (see § 59 above), the expenses for apartment No. 3 cannot be attributed to the subject, because the Commission did not establish circumstances that would suggest the subject's effective ownership (such as a financial link, continued residence or effective control).

Parking spaces

72. In the re-evaluation, the Public Service Agency (hereinafter „PSA”) provided the investment contracts signed in 2008 and the subsequent donation contracts signed in 2018 for two parking spaces on Mircea cel Bătrân Street, Chişinău. The donation contracts provide that the actual value of each immovable is 99,732 MDL (equivalent to 4,994 EUR). The actual value corresponds with the 199,464 MDL declared proceeds from the alienation of both parking spaces by the subject's parents.
73. In the initial evaluation (second round of questions), the subject stated that, according to her mother's explanations, the parents had alienated the parking spaces while formally concluding the donations. This was done because each of these immovable properties was individually treated as a 1,16% undivided share in a non-residential space, and, in the event of a sale, the pre-emption rights of all co-owners of the underground parking facility would have had to be observed.
74. As noted at § 53 above, the settlement documents from Basconslux LLC do not specify the date on which the payments for the parking spaces on Mircea cel Bătrân Street were made. At the same time, there are mentions of invoices issued on 27 March 2018 and 12 April 2018 for two parking spaces, in the amounts of 77,750 MDL and 32,000 MDL, respectively. The sums correspond with the contractual purchase price.
75. The exact dates on which the payments for these parking spaces were made could not be identified. To assess the subject's parents' financial capacity for these acquisitions, the Commission considered the dater of invoice issuance and analyzed the period 2017-2018.
76. Presuming the parents incurred parking expenses in 2017-2018, the balance between their household income and expenses for those years is negative. This means that the parents would not have sufficient income in 2017-2018 to cover the total purchase price of 109,750 MDL for parking spaces. As will be shown below in the chapter concerning the acquisition of the non-residential space, in 2017-2018 the parents incurred, in addition to CEP, expenses related

to the installments for the non-residential space, a payment for apartment No. 3, and a declared donation to their youngest daughter.

77. The subject's parents registered ownership of two parking spaces on 27 March and 12 April 2018 and sold each approximately one month later.
78. At the same time, the proceeds from the sale of these parking spaces on 19 April 2018 and 9 May 2018 would have been received after the last installment for the non-residential space on Hristo Botev Street. The last installment for the non-residential space was made on 24 January 2018. Accordingly, these alleged proceeds would not have had any financial impact on the subsequent acquisition of non-residential space.

Conclusion

79. Based on the information gathered in the re-evaluation, the parents had insufficient available funds to acquire the three apartments and two parking spaces on Mircea cel Bătrân Street. The acquisition of one of the apartments (No. 2) was attributed to the subject.
80. The insufficient availability of funds does not automatically render the other immovables attributable to the subject's household in the absence of a common household or convincing indicators of beneficial ownership, such as a financial link, continued residence or unrestricted use, or effective control.
81. The income declared from the sale of the two-room apartment on Milescu Spătaru Street—claimed at 25,000 EUR (equivalent to 392,250 MDL⁴), but accepted only in the amount of 1,671 EUR—would, if realized at a higher value, represent a substantial portion of the total payments made for the immovables on Mircea cel Bătrân Street, amounting to 778,331 MDL, and could have contributed to offsetting the apparent funding shortfall.
82. Apart from these proceeds, it cannot be excluded that the subject's parents may have had undeclared income to cover the identified expenses. However, the Commission cannot speculate as to whether, had such income existed, the subject's parents' financial capacity would have been sufficient to cover the payments for the immovables concerned. It does not find it reasonable, given that the subject is the one under examination.

⁴ Using the 2005 annual average exchange rate for EUR: 15,69 MDL. See <https://www.cursbnm.md/curs-valorar-mediulunar-bnm>

B. Subject's parents' acquisition of a non-residential space on Hristo Botev Street, Chişinău

Commission's findings (initial evaluation report, §§ 85-89, 105-106)

83. The subject's parents acquired a non-residential space on Hristo Botev Street, Chişinău, based on an investment contract with Exfactor-Grup LLC signed on 5 May 2017. According to the terms of this contract, the subject's parents became the owner of 2/3 shares of the non-residential space, and the subject's uncle, O.M., became the owner of 1/3 of the same property.
84. In the second round of questions in the initial evaluation (question 17, let. b), the subject explained that, according to her mother, the source of the funds for the above purchase was composed of (i) proceeds from the sale of the parental home (December 2017), the grandparents' home, the grocery store and the business in the village of Drochia (12 October 2017), (ii) proceeds from the sale of apartments No. 1 and No. 3 on Mircea cel Bătrîn street (21 February 2017 and 5 June 2017), and (iii) unspecified parents savings.
85. The Commission concluded that the subject's parents did not have sufficient documented income to cover the purchase price. Despite that, no beneficiary relationship was established between the subject's parents' income from the rental of this non-residential space and the subject. Neither bank transfers between the subject and her parents indicate such a relationship, nor does the subject have any negative expenditures over the 2013-2024 period, apart from the year 2015 which precedes the acquisition of this property in 2018.

SCM findings (SCM's decision, § 3.9.)

86. The SCM suggested a reassessment of the parents' financial capacity, with an emphasis on the availability of funds for the payment of each of the two instalments for the non-residential space on Hristo Botev Street.

Subject's explanations in the re-evaluation

87. In the re-evaluation, the parents' expense and income flows were analyzed to determine the availability of funds before each installment.
88. In the first round of questions (question 3), the subject was presented with two income-expense tables – one preceding the first installment and the other assessing the period between the first and second installments. She was requested to explain the negative balance and provide additional explanations and justificative documentation.

89. The subject stated that the amounts shown in the tables did not refer to her family's income and expenses, but to those of her parents. She therefore asked her mother to provide comments and submitted her mother's written declaration. The subject's mother relayed much of what was already explained during the initial evaluation and added that she received:

- A loan of 400,000 MDL (on unspecified date in 2017) from the subject's grandmother, E.M., arguing that this amount served to cover the payments for apartment No. 3 and part of the installment payment for the non-residential space. No justificative documentation was submitted.
- Two donations – of 14,000 EUR (on 25 December 2017) and of 19,000 EUR (on 7 January 2018), also received from the subject's grandmother, E.M., arguing that this amount served for the second installment payment for the non-residential space. The subject submitted two typed documents indicating the mutual agreement related to these donations.

90. In the hearing, the subject confirmed the accuracy of her answers during the evaluation procedure. After the hearing, she provided a notarized sale-purchase contract dated 3 March 2026 to justify the circumstances related to the sale price of the parents' house in Drochia village, which was claimed to be sold at the end of 2017 and fund the acquisition of the non-residential space.

Commission's assessment

91. The investment contract of 5 May 2017 was among the documents under investigation in the criminal case concerning the crimes provided for in Articles 330² (2) and 352¹ (2) of the Criminal Code. According to the sentence pronounced on 3 September 2021, O.M., the former president of the Chișinău Court, Râșcani Office, has the status of defendant (*inculpat*) until this sentence becomes final. The case is pending before the Central Court of Appeal.

92. In the re-evaluation, when inquired on the schedule of payments, the constructions company Exfactor-Grup LLC confirmed the following cash payments:

Date	Payment, MDL
17 May 2017	405,540
22 May 2017	610,888
24 January 2018	1,273,589
Total	2,290,017

93. Given that the first two payments were made five days apart, they were considered, in accordance with the mother's declaration in the initial evaluation, as constituting a single installment paid in 2017.
94. The parents' income and expenses were analyzed for the period preceding the first installment in May 2017, as well as for the period between the first and second installments in January 2018. The subject's relationship with this immovable was also analyzed.

Income-expense calculations before the payment of the first installment

95. Until the first installment, for the period 1 January 2017-22 May 2017, the parents' incoming total flows were 968,645 MDL. This income was comprised of [1] the actual sale price for apartment No. 1 of 955,669 MDL, [2] the total pension proceeds of 10,768 MDL, and the equivalent to five months' income, amounting to 2,208 MDL, from the individual enterprise "M.O.". The period analyzed corresponds to the time during which the funds declared to source this acquisition were received (see § 84 above).
96. According to the alternative calculation, as described at § 44 above, an additional statistical income derived from retail activity would be 27,930 MDL.⁵
97. The total outgoing flows were 1,150,898 MDL for the same period. The expenses were comprised of [1] 1,016,428 MDL (405,540 MDL+610,888 MDL) as payment for the first installment, [2] 105,000 MDL as payment for apartment No. 3 on Mircea cel Bătrân Street, and [3] the equivalent of five months' CEP, amounting to 29,470 MDL.
98. The alleged loan of 400,000 MDL is not considered plausible, given the belated disclosure of such information (presented in the re-evaluation, after the identification of a negative balance), the failure to specify the dates of the granting of the loan and its repayment, as well as the absence of corroborating evidence supporting the existence of such a transaction.
99. It follows that the subject's parents' household recorded a negative balance of -182,253 MDL before the first installment for the non-residential space (or -154,323 MDL including the statistical income from retail trade activity). The detailed calculations are illustrated on table 2 in the annex to the hearing notice.

⁵ 27,930 MDL = 67,032 MDL/12 months x 5 months

Income-expense calculations between the payment of the first and second installments

100. Between the first and second installments, for the period 23 May 2017-24 January 2018, the parents' incoming flows were 1,327,290MDL. This income was comprised of [1] the total pension proceeds of 15,680 MDL and the equivalent of seven months' income, amounting to 3,092 MDL, from the individual enterprise "M.O.", [2] the contractual sale price of the grandparents' house in Drochia village of 17,600 MDL, [3] 62,016 MDL proceeds from the sale of the parents' house in Drochia village, and [3] the actual sale price of apartment No. 3 of 1,228,902 MDL.
101. According to the alternative calculation, as described at § 44 above, an additional statistical income derived from retail activity would be 22,344 MDL.⁶
102. The parents' total outgoing flows were 2,015,635 MDL. The expenses were comprised of [1] 1,273,589 MDL as payment for the second installment for the non-residential space, [2] the equivalent of seven months' CEP, amounting to 41,258 MDL, [3] the declared donation to their youngest daughter of 520,523 MDL (equivalent of 25,000 EUR), and [4] 180,265 MDL payment for apartment No. 3.
103. The declared value of 10,000 EUR (approximately 205,300 MDL) for the sale of the grandparents' house and business in Drochia village cannot be considered plausible. Apart from the alleged buyer's (G.Ț.) written declaration dated 1 July 2025, the subject did not submit any corroborating evidence to justify the actual sale price of 10,000 EUR. Therefore, only the 17,600 MDL contractual value of the house was included in the income calculation.
104. Regarding the 15,000 EUR indicated as sale price of the parents' house in Drochia village, in the initial evaluation the subject submitted receipts dated 3 December 2017, 15 December 2017 and 17 March 2018 signed by the mother and the buyers, Vi.C. and Va.C. The receipts concern a total of 62,016 MDL (3,050 EUR) paid in installments (2,460 EUR+50 EUR) in December 2017 and 3,000 EUR paid in March 2018 from the total agreed sale price of 15,000 EUR. The subject's mother declared that the remaining was paid by 1 May 2018, and on 7 February 2023. Therefore, based on the contemporary receipts, the calculations used only the proceeds of 62,016 MDL, as relevant for the second installment for the non-residential space paid on 24 January 2018.

⁶ 22,344 MDL=67,032 MDL/12 months x 4 months (from June to the sale of business on 12 October 2017)

105. In relation to the parents' house, the subject presented after the hearing a sale-purchase contract dated 3 March 2026 and concluded between the subject's parents and Va.C. The contract provides that the 15,000 EUR sale price of the house and the adjacent plot of land were paid in cash prior to the authentication of this contract.
106. The reasons why a sale-purchase contract was not concluded previously were explained during the evaluation procedure. They relate mainly to the absence of a cadastral record specifying the house's dimensions, which was built in 1977. According to the subject's parents, at the time the sale agreement was reached, the buyers agreed to be authorized by power of attorney to handle the cadastral documents. The power of attorney presented to the Commission is dated 17 February 2023. The subject explained that the buyers had not completed the process of registering the house to cadaster because they were spending most of their time working abroad.
107. Having regard to the documents in its possession and the subject's consistent explanations on this matter, the Commission considers that the circumstances related to the sale of the parents' house in 2017 most likely occurred as described. However, as regards the sale price of 15,000 EUR, the Commission will take into account, for the purposes of its calculation, only the amounts received prior to the second installment for the non-residential space, as noted at § 104 above.
108. To fund the acquisition of the non-residential space, the subject's parents stated in the initial evaluation that they had obtained a 20,000 EUR loan from I.D., a close acquaintance. To support this, they relied on a written receipt dated 9 December 2017. In the reevaluation, they additionally provided an undated written declaration signed by the alleged lender. However, the Commission cannot accept these funds as plausible income, in view of the apparently I.D.'s limited financial capacity to provide such a loan (see the detailed analysis in the annex to the hearing notice §§ 142-148).
109. In relation to the alleged donations of 14,000 EUR and 19,000 EUR, the Commission analyzed the timing of their declaration, the submitted evidence, and the grandmother's income-expense balance for the period of 1 January 2017 and 7 January 2018.
110. First, the Commission notes that the alleged donations were brought to its attention after the subject was first asked about the source of funds for the acquisition of the non-residential space during the initial evaluation. In the first round of questions during the reevaluation (question 3, lit. b), the subject stated that she could not be held responsible for failing to submit these

contracts earlier because she was unaware of their existence. Despite this not being disputed, the subject should reasonably have asked her parents about the source of funds when first asked, during the initial evaluation. In any case, since this source of funds was indicated only during the re-evaluation after a negative expenditure was identified for the payment of the second installment, the credibility of the donation declaration is impaired.

111. Second, the subject's mother explained that she had not provided this information earlier because she was unable to locate the documents substantiating the funds after moving to Chişinău. According to her, the donation contracts were allegedly found only on 27 December 2025 at the subject's grandmother's house in a village in the Drochia district. This explanation is implausible, as neither the mother nor the subject indicated any obstacles to searching for and identifying these documents during the initial evaluation.
112. Third, the subject submitted two typed donation contracts signed by her mother and grandmother. The Commission, however, notes that the documents lack a dedicated section for the signing date and that the dates are indicated in pen. This suggests that adding the dates to the documents could have been done at any time, thereby impairing their authenticity.
113. Last, the Commission analyzed the grandmother's income-expense balance for 2017. For the period from 1 January 2017 to 7 January 2018, the total financial inflow was 680,940 MDL, consisting of [1] pension proceeds of 18,765 MDL and [2] net income of 662,175 MDL from the rental of owned properties.
114. At the same time, the total expenses incurred by the grandmother, excluding declared donations, were -622,494 MDL. The expenses consisted of the purchase payment for the apartment on Hristo Botev Street of 596,502 MDL (equivalent of 28,800 EUR based on receipt of 3 July 2017) and the one-person rural household CEP of 25,992 MDL.⁷
115. Considering the total inflow of 680,940 MDL and the total outflow of -622,494 MDL (forming a positive balance of 58,446 MDL), the Commission considers that the donation of 14,000 EUR (291,620 MDL) and 19,000 EUR (391,970 MDL) would have been impossible without other funds.
116. It follows that the subject's parents' household recorded a negative balance of -688,345 MDL between the first and second installments for the non-residential space (or -666,001 MDL including the statistical income from retail

⁷ CEP (2017) 25,992 MDL = 2,166 MDL x 12 months

trade activity). The detailed calculations are illustrated on table 4 in the annex to the hearing notice.

117. Therefore, based on the available data, the subject's parents did not have sufficient funds to cover the payments for the non-residential space located on Hristo Botev Street.
118. Despite the absence of evidence of the subject's parents' financial capacity to acquire such an acquisition, this fact, however, is not sufficient to establish the beneficial ownership of the subject.
119. Although the subject's parents began to earn substantial income from the rental of the non-residential space as early as 2019, the mother's donations declared by the subject in favor of her eldest son relate only to the period 2021-2024. The year 2021 coincides with the start of the subject's son's studies abroad. In the initial evaluation (first round, question 46 lit. a), the subject reported the costs of her son's studies abroad for the period from 2021 to 2024.
120. No financial link between the subject and either the acquisition or the repair of this property was identified. Finally, the subject declared to the NIA the income obtained from the donations made by her mother during the period 2021-2024 and sourced from the rental of non-residential space.
121. In light of the above, and the additional evidence and clarifications provided, the Commission reaffirms the conclusions of the initial evaluation report related to the subject's potential link with the acquisition of the non-residential space.

C. Subject's grandmother acquisition of an apartment on Hristo Botev Street, Chişinău

SCM findings (SCM's decision, § 3.8.)

122. The SCM noted that the circumstances surrounding the selection process and the investment in the apartment on Hristo Botev Street by the subject's grandmother were not established.

Subject's explanations in the re-evaluation

123. In the first round of questions (question 6), when asked about the investment in the apartment on Hristo Botev Street in Chişinău, the subject reiterated that she was unaware of the circumstances surrounding her grandmother's conclusion of the contract. However, considering the SCM's decision, she maintained that her mother should seek further details, including information

known to her mother's brothers. The subject also submitted an undated written declaration signed by her mother.

124. According to it, the subject's mother became the beneficiary of the apartment upon receiving the donation. The purpose of the grandmother's acquisition of the apartment was to relocate permanently to Chişinău, to live close to her children and grandchildren. After purchasing the apartment, she realized she would not be able to reside there and chose to remain in the countryside. The subject's grandmother allegedly donated the apartment to the subject's mother because the latter had sold her house in Drochia. However, the mother, who was living with her daughters and assisting in the upbringing of her grandchildren, decided to sell the apartment to provide equal financial assistance to her daughters.
125. Regarding the purchase of the apartment on Hristo Botev Street, the subject's mother stated that, based on documents found in the grandmother's house, a judge at the Chişinău Court, Râşcani Office, assigned the claim to acquire the apartment to the subject's grandmother. In support of these statements, the subject submitted the following documents:
- a. an undated written declaration signed by her mother.
 - b. the contract for the assignment of claim dated 18 July 2016.
 - c. the receipt of 3 July 2017 issued by Exfactor-Grup LLC.
126. In the hearing, the subject confirmed the accuracy of her answers provided during the evaluation procedure.

Commission's assessment

127. According to the contract of 18 July 2016, the subject's grandmother paid 5,000 EUR to judge L.U. for the assignment of claim (*cesiunea creanței*) regarding the construction of an apartment on Hristo Botev Street. The judge had been selected under a housing insurance program at a preferential price⁸, but subsequently alienated that right.⁹ The receipt of 3 July 2017 further indicates

⁸ At the time, the subject's uncle, O.M., was the President of the Chişinău Court, Râşcani Office that proposed this preferential price program. As results from the public available minutes of the meeting of a working group, held on 27 April 2015, "the President of the Court reiterated that the proposal to allow each judge to contract the construction of a two-room apartment is conditioned by the need to ensure the level of integrity of judges. Even in the situation where the judges are currently provided with housing, they all have children, and they have to contribute to providing them with housing. So, it would be fair that every judge should benefit from this favor".

⁹ <https://www.rise.md/apartament-cu-discount-pentru-copiii-judecatorilor/>

a payment of 28,800 EUR (equivalent of 596,502 MDL) made by the subject's grandmother pursuant to the investment contract dated 20 July 2016.

128. The investment contract obtained from the cadaster confirms the purchase price of 28,800 EUR for a two-room apartment of 80 sq.m on Hristo Botev Street. The construction company Exfactor-Grup LLC and the subject's grandmother (E.M.) are identified as contracting parties. Similarly to the contract related to the non-residential space, the investment contract dated 20 July 2016 was among the documents under investigation in the above-mentioned criminal case.
129. In re-evaluation, the Commission assessed the grandmother's sources of funds used to acquire the apartment and the financial impact of the subsequent sale of the apartment by the subject's mother.
130. The available data from SFS, together with the documents submitted by the subject in the first round of questions, indicate that the grandmother had a total income of 680,940 MDL in 2017 (18,765 MDL from pension income and 662,175 MDL from rental income). This income was sufficient to cover the CEP expenses of 25,992 MDL and the contractual price of 596,502 MDL for the apartment on Hristo Botev Street.
131. As the apartment was sold by the subject's mother on 14 September 2018, the proceeds could not have been used to finance the acquisition of the non-residential space on Hristo Botev Street. As noted above, the subject's parents had already paid the second installment for the non-residential space on 24 January 2018.
132. Finally, in view of the information in its possession, the Commission did not establish any links or financial benefits that the subject obtained in connection with this apartment.

D. Donations from the subject's mother in 2016 and during 2021 to 2024

Commission's findings (initial evaluation report, §§ 107-115)

133. Regarding the donations made by the subject's mother in 2016 and during the period 2021-2024, the Commission established that their exclusion would not result in a negative financial balance for the subject. In 2021 alone, the donation of 120,000 MDL contributed to the subject's positive income-expense balance. As the 2021 donation was derived from a plausible source and declared to the NIA, the Commission accepted it, thereby eliminating the preliminary negative income-expense balance of the subject's household in the amount of -66,546 MDL for 2021.

SCM findings (SCM's decision, § 3.9.)

134. The SCM suggested reassessing the donations made by the subject's mother, totaling 326,000 MDL, given the limited financial capacity of the subject's parents. It stated that the source of the funds for these donations, except in 2016, was the rental income from the non-residential space on Hristo Botev Street, while expressing doubts about how the non-residential space had been acquired.

Commission's assessment

135. The donations made by the subject's mother are listed in the table below.

Year	2016	2021	2022	2023	2024
Amount, MDL	30,000	120,000	90,000	70,500	15,500

136. In the re-evaluation, the Commission notes at the outset that the income-expense balance of the subject's household in the years in which the donations were declared (2016 and 2021-2024) is positive, except for 2021 (-66,546 MDL), which is present only if the donation is rejected. For this reason, the financial impact of these donations is insignificant.
137. In particular, if none of the donations made by the subject's mother are accepted, the subject's household would register an overall negative balance of -181,315 MDL between incoming and outgoing financial flows, namely -114,769 MDL in 2015 (see § 157 below) and -66,546 MDL in 2021. Even if the negative financial flows for these years were treated as unjustified wealth, they would not exceed the threshold of 234,000 MDL under Article 11 para. (3) let. a) of Law No. 252/2023.
138. However, there are no grounds to change the findings from the initial evaluation related to the plausibility of the donations made by the subject's mother during 2021-2024. For 2016, the Commission recalculated the parents' financial capacity by including potential statistical income from commercial activities. As is detailed below, and considering the information gathered, the subject's parents would have had sufficient financial funds to offer the declared donations to the subject in 2016, 2021-2024, despite the absence of a clear traceability of the full amount of the monetary transfers.
139. In 2016, the parents' household had a total verifiable income of 27,480 MDL (from pensions, an individual enterprise "M.O.", and a salary from a company engaged in the cultivation of cereal and forage crops). According to the alternative calculation described in § 44 above, an additional statistical income derived from retail activity would be 78,966 MDL.

140. In the same year, the subject's parents incurred 67,656 MDL in CEP expenses. These circumstances (the positive balance of 38,780 MDL) show that the subject's parents most likely have sufficient verifiable income to make 30,000 MDL financial contributions to the subject's family.
141. Similarly, during the period from 2021 until 2024, the parents' household reported a total verifiable income of 356,487 MDL in 2021, 361,894 MDL in 2022, 392,785 MDL in 2023, and 394,389 MDL 2024, as detailed in the annex to the hearing notice. The total expenses incurred by the parents' household, as detailed in the same annex, included the CEP expenses of 102,288 MDL in 2021, 127,440 MDL in 2022, 141,840 MDL in 2023, and 143,664 MDL in 2024; and the donations as noted in § 135 above.

Year	2021	2022	2023	2024
Total income, MDL	356,487	361,894	392,785	394,389
Total Expenses, MDL	222,288	217,440	212,340	159,164
Difference, MDL	+134,199	+144,454	+180,445	+235,225

142. Considering these circumstances, the total verifiable income of the subject's parents was sufficient to cover both the CEP expenses and the declared donations during the period 2021-2024.

Conclusion

143. Regarding any doubts that these donations may have benefited the subject in connection with her potential contribution to the acquisition of non-residential space, the Commission would need facts indicating such circumstances, as outlined in relation to that acquisition. As noted at § 119 above, although the subject's parents began to earn substantial income from the rental of the non-residential space as early as 2019, the donations declared by the subject in favor of her eldest son relate only to the period 2021-2024.
144. In this connection, the subject's eldest son pursued university studies abroad, during the period 2021-2024. The donations were declared as intended to cover the subject's son's tuition and accommodation expenses. The Commission, however, included these expenses in the subject's outgoing financial flows for the relevant years. This was done because her son was a dependent declared to NIA for the corresponding years, 2021-2024.
145. Finally, it was established that the parents had the financial possibility to source the declared donations in 2016 and 2021-2024. At the same time, as mentioned at § 137 above, excluding all these donations from the calculation

of the subject's wealth does not result in a negative balance which, if considered unjustified wealth, would exceed the threshold set by law. Furthermore, the Commission did not identify any additional facts indicating a connection to, or benefit for the subject, regarding the non-residential space.

E. Treatment of additional expenses beyond the CEP-estimated living costs

Commission's findings (initial evaluation report, §§ 124-128)

146. In calculating the difference between assets, income, and expenses, the Commission included, in addition to the CEP, several specific expenditures declared by the subject. These expenditures included tuition fees at a private lyceum and travel expenses. To avoid double-counting of individually identified cash expenses with the variables reflected in the CEP (in this case, vacation and child studies), the Commission considered, in its calculations for the year 2015, only the calculated surplus exceeding the CEP variable.

SCM findings (SCM's decision, § 3.10.)

147. The SCM referred to possible contradictions with *Pilipenco case*, in which the Commission attributed in full the value of holiday and education expenses, rather than only the surplus of these categories from CEP.

Commission's assessment

148. As explained in 3.5 of the Annex to the Rules, a subject's basic daily living expenses are calculated using estimates of population consumption expenditure ("CEP"). These estimates are provided by the NBS and reflect how much people spend on everyday needs based on surveys of the actual expenditures incurred by randomly selected households.
149. CEP has a structure that follows 12 categories. Between 2008 and 2018 these categories had a naming scheme. After 2019, it was updated. The update brought no change in category content or methodology.
150. As a rule, and considering the potential overlapping of expenses, such as clothing and footwear, transport, and vacations, with the CEP categories, the Commission attributes these expenses to the amount exceeding the CEP variables. Illustrative cases are *Dașchevici* (Report accepted by SCM on 15 July 2025, §§ 234, 278), *Fujenco* (Report accepted by SCM on 21 October 2025, §§ 177, 189, 213), *Triboi* (Report of 9 December 2025, §§ 93) where the Commission attributed clothing expenses and transport expenses, separately and only to the extent that they exceed the clothing and transportation components included in the CEP.

151. As regards the education category of CEP, consistent with its practice in similar cases (e.g. *Buruiană, Tețcu, Pilipenco*) the Commission included the full amount of the private institution education expenses and not only the amount exceeding the CEP category for education. This approach reflects the distinction between the costs incurred in public and private institutions. In the case of public institutions, the expenses are generally covered by the public budget (meals, books), they are predictable and therefore broadly and more accurately reflected by CEP. In contrast, for private institutions, costs are generally above average and borne entirely by families, varying by institution.
152. The Commission notes also that, in its judgment of 7 November 2025 in *Ion Tețcu*, § 46, the Supreme Court of Justice held that CEP education components do not include private school costs and therefore cannot be reduced when such costs are calculated separately.
153. In the present case, the subject declared having incurred tuition and meal expenses in 2015 at a private educational institution of 36,087 MDL, as well as travel expenditures of 14,476 MDL.
154. The Commission examined the 12 categories of CEP as identified by the NBS. The recreation category for the subject's household in 2015 is 3,796 MDL¹⁰, and the education category is 1,051 MDL¹¹.
155. Having regard to expenses as estimated by the CEP, the Commission retained in the subject's financial outflows only the amount exceeding the recreation CEP category.
156. As regards the education category, the Commission included the full amount of tuition and meal expenses at a private educational institution in the calculation of the subject's household income and expenses balance.
157. According to the revised calculations, the balance between the subject's incoming and outgoing flows is -114,769 MDL in 2015. Even if the negative financial flow for this year was treated as unjustified wealth, it would not exceed the threshold of 234,000 MDL under Article 11 para. (3) lit. a) of Law No. 252/2023.

¹⁰ 3,796 MDL=79.1 per month x 12 months x 4 members

¹¹ 1,051 MDL=21.9 MDL per month x 12 months x 4 members

V. Conclusion of the resumed evaluation

158. Based on the information it obtained and the data presented by the subject, the Commission proposes that the subject promotes the external evaluation conducted in accordance with the criteria set forth in Article 11 of Law No. 252/2023.

VI. Further action and publication

159. As provided in Article 40 para. (4) of the Rules, this re-evaluation report will be sent by e-mail to the subject and the Superior Council of Magistracy. The Commission will publish the re-evaluation's result on its official website on the same day.

160. No later than three days after the approval, a printed paper copy of the report, electronically signed by the Chairperson, will be submitted to the Superior Council of Magistracy, along with the original electronic copy of the re-evaluation file containing all the evaluation materials gathered by the Commission.

161. This report will be published on the Commission's official website, with appropriate precautions to protect the privacy of the subject and other persons, within three days after the expiry of the appeal period against the decision of the Superior Council of Magistracy or after the Supreme Court of Justice issues its decision rejecting the appeal or ordering the promotion or non-promotion of the evaluation.

162. The re-evaluation report was approved by unanimous vote of the participating members on 21 April 2026 and signed pursuant to Article 40 para. (5) of the Rules.

163. Done in English and Romanian.

Andrei Bivol

Chairperson of the Commission

Chair of Panel A