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RE-EVALUATION REPORT

approved according to Article 41

of the Rules of Organization and Functioning

RUXANDA PULBERE

judge of the Central Court of Appeal

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

16 December 2025

Contents

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 3 November 2025 and approved the following re-evaluation report on 16 December 2025. The members participating in the approval of the report were:

1. Scott BALES
2. Andrei BIVOL
3. Willem BROUWER
4. Iurie GAȚCAN
5. Lavly PERLING
6. Iulian RUSU
7. Gerrit-Marc SPRENGER
8. Marcel van de WETERING

On 19 August 2025, Commission member Lilian Enciu recused himself from this evaluation. The Commission determined that recusal is appropriate.

The Commission prepared this re-evaluation report, which concerns only the matters referred to by the Superior Council of Magistracy. The re-evaluation report should be read in conjunction with the initial evaluation report.

I. Introduction

1. On 13 May 2025, the Commission approved the report concerning Mrs. Ruxanda Pulbere (hereinafter the "subject") under Law No. 252/2023. It proposed that the subject does not promote the external evaluation under the criteria set in Article 11 of Law No. 252/2023 (hereinafter the "initial evaluation report").

2. On 15 July 2025, the Superior Council of Magistracy (hereinafter the „SCM"), by decision No. 367/30, rejected the report and ordered 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 "Rules").

4. Following the re-evaluation, the Commission concluded that the subject does not meet the criteria identified in Law No. 252/2023 for financial

integrity, as serious doubts determined by facts have been found as to the subject's compliance with this criterion.

II. Grounds for the resumed evaluation

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

> "(3) By a 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 preliminary review raised doubts about the subject's compliance with the ethical and financial criteria established by law.

8. The SCM agreed with the Commission's conclusions about the subject's compliance with the wealth and personal interests' declaration regime and regarding the potential ethical violations related to her decisions in *Caravita* case. However, the SCM did not fully agree with the Commission's conclusions about the discrepancies in assets, expenses, and income.

9. Regarding the last aspect, the SCM upheld the Commission's conclusions regarding: (1) the transactions involving vehicles that were possibly undervalued when sold or purchased; and (2) the acceptance of a 990,000 MDL donation to the subject from her parents. At the same time, it disagreed with the non-acceptance of the 990,000 MDL donation made to the subject's husband by her mother.

10. Regarding the BMW X4 (m/y 2014) acquired in 2017 by the subject's daughter, the SCM found no evidence of a financial link between the subject

and the purchase. However, it did not overturn the Commission's conclusions on the non-acceptance of the source of funds used for the acquisition, and the vehicle's value.

11. Finally, the SCM found that certain expenses indicated separately in the outgoing financial flows for 2012, 2013, 2015, and 2017 were partially covered by the consumption expenditure per population (hereinafter "CEP") and therefore should not have been duplicated in the Commission's calculations.

12. In doing so, the SCM did not identify procedural errors and did not formally mention factual circumstances that could have led to the promotion. Nevertheless, it stated that the circumstances mentioned in its decision should be further clarified during the re-evaluation procedure.

III. Resumed evaluation procedure

13. On 6 August 2025, the Commission received the SCM's decision. The SCM did not send any additional information or documents.

14. On 12 September 2025, the Commission asked the subject to provide additional information by 23 September 2025 to clarify certain matters (hereinafter the "first round of questions"). On 15 September 2025, the subject requested an extension to respond, which the Commission granted until 26 September 2025. The subject provided answers and documents within the extended deadline.

15. On 10 October 2025, the Commission informed the subject of the self-recusal of its member, Lilian Enciu.

16. During the resumed evaluation, one petition was received. This did not refer to the aspects mentioned in the SCM's decision but rather reflected dissatisfaction with the subject's decisions. The petitioner did not explain the objective circumstances that prevented him from submitting the petition during the initial evaluation, as required by Article 20 para. (2) of Law 252/2023. Therefore, the petition was not analyzed but only included in the evaluation file.

17. On 23 October 2025, the Commission notified the subject that, based on the information collected and reviewed during the resumed evaluation, it intended to discuss the matters referred to in the SCM's decision about the subject's compliance with the financial criteria and invited her to attend a public hearing on 3 November 2025.

18. As provided in Article 41 para. (4) of the Rules, the subject could have requested access to all the materials in her re-evaluation and initial evaluation file. However, the subject decided not to exercise this right.

19. On 24 October 2025, the subject requested the Commission to hold the hearing in a partially closed session. She stated that the donation her husband received from her mother concerns their private life and financial situation. The Commission granted the request and decided to hold part of the hearing in a closed session.

20. On 3 November 2025, 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 Commission's requests for information. During the hearing, she submitted additional documents. The Commission included them in the re-evaluation file and considered them in its analysis.

21. On 10 November 2025, after the hearing, the subject submitted additional documents. The Commission included them in the re-evaluation file and considered them in its analysis.

22. On 12 December 2025, pursuant to Article 17 para. (2) of Law No. 252/2023, the Commission informed the subject that the deadline for approving the report was prolonged and expires on 9 January 2026.

IV. Analysis in the resumed evaluation

23. The Commission analyzed and, where necessary, requested further clarifications regarding discrepancies in assets, expenses, and income, based on the matters noted in the SCM's decision.

    a. The 990,000 MDL donation made by the subject's mother to the subject's husband.

    b. The attribution of the BMW X4 vehicle purchased by the subject's daughter in 2017.

    c. The potential duplication of certain expenses when considered in addition to the consumption expenditure per population.

A. The 990,000 MDL donation made by the subject's mother to the subject's husband

Commission's findings (initial evaluation report, §§ 136-153)

24. On 30 December 2012, the subject's husband submitted a fiscal amnesty declaration to the SFS, stating that he held 990,000 MDL in cash as of 1 January 2012 (see §§ 87–90 of the initial evaluation report).

25. Initially, the subject claimed that this amount originated from a donation made by her in-laws to her husband. However, starting with the third round of questions, the subject changed her approach, claiming that the funds came from a donation her parents made to her husband through her in-laws. The subject explained that this procedure was not imputable to her, but resulted from her mother's and mother-in-law's reluctance to disclose the true source of the donation to her husband.

26. The Commission did not accept this amount as an incoming financial flow, as the overall circumstances did not support its alleged origin. To reach this conclusion, the Commission examined:

    a. the availability of funds to support such a donation (§§ 139–143 of the initial evaluation report);

    b. the circumstances surrounding the donation (§§ 144–146 of the initial evaluation report); and

    c. the purpose and conditions of the fiscal amnesty (§§ 147–152 of the initial evaluation report).

27. The Commission concluded that the savings accumulated by the subject's parents between 1998 and 2012 were insufficient to cover the alleged donation. The lack of evidence regarding the availability of funds before 1998 (§ 140 of the initial evaluation report), discrepancies in currency reporting, and failure to comply with legal fiscal amnesty requirements undermined the credibility of the claim. The Commission found that such a transaction cannot be validated solely based on retrospective and unverifiable statements.

28. The Commission also noted that, unlike in other cases where it rejected subsequent changes to explanations, in the case at hand, the change in the subject's explanations did not appear to be imputable to her. Consequently, the Commission assessed the plausibility of the alleged donation (§§ 136-138 of the initial evaluation report).

SCM's findings (Decision of 15 July 2025, § 3.8.4.)

29. The SCM noted that, unlike in the *Mariana Ursachi* case, where the subject failed to prove the availability of funds at the time of the fiscal amnesty

declaration, such proof existed in the present case, namely, the mother's declared income and her explanations during the hearing.

30. Although the Commission acknowledged the mother's substantial income, it appears the Commission's doubts stem from the subject's revised explanations in the final round of questions. However, the materials show that this change resulted from the mother's and mother-in-law's reluctance to disclose the source of the funds. Since the subject provided evidence explaining the change, it cannot be imputed to her.

31. The SCM finally noted that the assessment of the mother's financial situation was unjustifiably limited to 1998–2012, ignoring income from real estate sales reported in the evaluation. While the SCM acknowledged that the subject lacked access to documents on these properties, the Commission could obtain them from public registries. The SCM noted that the Commission must further examine the documents underlying its conclusions, especially when excluding legal facts or rejecting the subject's explanations.

Re-evaluation procedure

Subject's explanations

32. Contrary to her statements during the initial evaluation hearing, the subject declared that the 990,000 MDL donation to her husband did not originate from her mother's income and savings accumulated between 1998 and 2012. She claimed instead that the funds were derived from savings accrued between 1990 and 1998. She said these savings were kept in the house of her mother's father-in-law in the village, while the savings accumulated after 1998 were stored in her apartment in Chișinău.

33. Regarding the income her mother received from the sale of two houses in 1992-1993 (in Donduseni and Corbu), the subject stated that neither she nor her mother possesses any documents, including deeds of ownership or contracts. They cannot recall the transaction values or other relevant details. According to the subject, the house in Dondușeni, measuring approximately 0,06 ha (including annexes), was registered in the name of V.V. and sold in 1996. The house in Corbu, measuring approximately 0,045 ha with annexes, was reportedly owned by either her father or her mother and was sold in 1995. Both transactions were carried out in cash and in USD.

34. The subject stated that, according to her mother, another purported source of the purported savings was the sale of timber. The timber was sold between 1991 and 1993. She claimed that the timber was purchased in Pyat Yakh (Tyumen region), where forests were being cleared for oil extraction, and

prices were reportedly low. She recalled receiving payment in Russian Rubles (RUB) and in coupons, which, according to the subject, were commonly converted into USD at that time. The subject emphasized that the lack of documents is due to the passage of time, not any unwillingness to provide evidence.

35. Regarding her mother's income, the subject stated that no salary records exist prior to 1998. She explained that her mother held the same position throughout that period and argued that her earnings before 1998 could be inferred from the available salary certificates for 1998–2012.

36. Based on a comparison between her mother's documented earnings after 1998 and national averages, the subject estimated that her mother consistently earned approximately 22% above the national average. Applying this percentage retrospectively to the years 1990–1997, she maintained that the resulting figures would be consistent with the income levels previously considered by the Commission.

37. Regarding the discrepancy between the documented 1998 annual salary (approximately 20,000 USD) and her mother's recollection of substantially higher monthly earnings in earlier years, approximately 7,000–8,000 USD per month, and occasionally up to 10,000 USD — the subject attributed this gap to the Ruble redenomination and the 1998 financial devaluation. According to her, when adjusting for these factors, her mother's income in 1997 would correspond to about 50,000 USD in pre-redenomination terms.

38. The subject maintained that her mother's financial situation was coherent: her employment was documented, salary certificates exist starting with 1998, and earlier records could not be obtained due to the time elapsed.

39. The subject also stated that her mother provided financial support to her and her brother from income earned between 1990 and 1998. She could not specify the exact amounts given to her brother, but her mother purchased an apartment for her as a marriage gift (12,700 USD), her first vehicle, a Volkswagen Golf, and a Mercedes (18,000 USD). She noted that it is impossible to provide the exact amounts of financial support (closed hearing 8:15-11:45).

40. Finally, regarding the fiscal amnesty declaration, the subject acknowledged that her husband did not physically hold the 990,000 MDL on 1 January 2012. However, she maintained that the funds existed and were temporarily held by her in-laws. She argued that the declaration submitted in December 2012

was consistent with the amnesty's purpose of legalization of pre-existing savings, even if the formal transfer occurred only at the end of the year.

41. The Commission asked why the money was transferred to her husband only in December 2012, even though her mother had allegedly already given the funds to her in-laws in February. The subject explained that, although Article 226[7] entered into force in January 2012, the amnesty procedure did not become operational until the Ministry of Finance issued Order No. 96/2012 in August 2012. She stated that, due to subsequent amendments and uncertainties regarding the procedure, her in-laws preferred to wait until the final deadline. Consequently, the formal transfer was made on 29 December 2012, followed by the declaration on 30 December 2012.

42. The subject said that she did not state that she had financial difficulties in the sense that she had no means to support herself. These aspects were related to the fact that her husband was not working, and the financial difficulties were more in the context that her husband could not independently ensure financial stability. She added that the financial support was intended as a long-term reserve to stabilize the family, reflecting the mutual solidarity between the two families.

43. According to the subject, her mother and mother-in-law said the money was kept in cash at her in-laws' home as a prudent, mutually trusted measure while awaiting clarification on the declaration procedure. She acknowledged the risks involved in holding such a large amount in cash but maintained that the family considered it the safest and most discreet option during a sensitive period.

The mother's explanations during the initial evaluation

44. These explanations supplement those provided in the initial evaluation report in §§ 129–135.

45. The subject's mother stated that in Russian Federation she had worked as a financial inspector, later as head of the financial department, and subsequently as deputy mayor responsible for finance. Until around 1995, she received her salary in cash. After a bank opened in 1995–1996, she began receiving her salary on a bank card. She also held bank deposits.

46. She explained that around 1992, she decided to return to the Republic of Moldova eventually and therefore left approximately 30–40% of her salary with her parents. When the subject began her university studies (1994), she would leave money with the subject during her annual visits so that she

would have enough to live on for the year. She stated that she saved approximately 50% of her monthly salary and left it to her daughter.

47. According to her declarations, she and her husband began keeping money at her parents' home between 1992 and 1993. She mentioned having sold two houses in Dondușeni and Corbu, and that in 1992, she had imported into the country three wagonloads of timber. She also said that her salary "was very good" until the devaluation of the Russian Ruble, ranging from 7,000 to 8,000 USD per month, with some months reaching up to 10,000 USD.

48. The subject's mother stated that the subject was unaware of the donation for her husband because the funds intended for her and her brother were kept by the subject. The proceeds from the sale of the two houses, from timber sales, and from the money she left to support her parents were kept in her parents' house in the village.

49. When asked from which funds she made the donation, she stated: "*I took the money from what was kept in my parents' house. The money was initially kept at my mother's house until 2004. After her death, we kept the money at my father-in-law's house. I took an amount of money from the funds kept at Ruxanda's house, but I told her that it was for the daughter-in-law as a gift for the birth of the granddaughter*" (closed hearing 19:48-20:40).

The Commission's assessment

50. In order to determine whether the donation of 990,000 MDL is plausible, the Commission assessed: (1) the financial capacity of the subject's mother over the periods 1990–1998 and 1998–2012; (2) the conformity of the fiscal amnesty declaration with the requirements of the Fiscal Code; and (3) the alignment between the stated purpose of the donation and the circumstances in which it was made.

Financial capacity 1998-2012

51. In the initial evaluation procedure, the Commission assessed the mother's financial capacity to provide the donation based on her income and savings accumulated between 1998 and 2012.

52. This approach resulted from the documents submitted by the subject concerning her mother's income, which covered only the period starting in 1998. These included salary certificates for the period 1998-2001, income declarations starting from 2006, as well as an Excel table prepared by the subject reflecting the income of both her parents from 1998 to 2012.

53. The subject also stated during the hearing in the initial evaluation that the donation made to her husband originated from savings accumulated from income earned after 1998, namely from the amount of approximately 500,000 USD that had been kept in her apartment. When asked about evidence of the transfer of funds from her parents to her in-laws, the subject stated that the income came from official employment, was declared, and had been introduced into the country. She added that since her parents had more than approximately 500,000 USD as of 2012, they had sufficient financial means to make such a donation (closed hearing 9:25–10:05).

54. When asked whether the funds donated to her husband had been declared upon entering the country, as had been the case for the donation to her, the subject said that her parents only declared amounts exceeding 10,000 EUR. She stated that their savings of approximately 500,000 USD were accumulated over a period of about 15 years and were introduced gradually (closed hearing 11:24–11:55).

55. The statements made by the subject and her mother indicated different time periods and sources. While the subject referred to income accumulated after 1998, her mother mentioned funds from earlier years, but she did not specify any amounts. Moreover, the mother said that she took an amount of money from the subject's apartment, where savings, accumulated after 1998, were kept.

56. Therefore, the Commission noted that it had no information regarding the income received from the declared sales (see § 140 of the initial evaluation report) and consequently assessed the financial capacity based on savings accumulated between 1998 and 2012. The analysis concerning this period is detailed in §§ 139–143 of the initial evaluation report).

57. Contrary to the initial evaluation, in the re-evaluation procedure the Commission assessed the financial capacity of the subject's mother based on the net income rather than on the gross income.

58. Applying the fiscal provisions that were in force in the Russian Federation between 1998 and 2012, the Commission calculated a net income of 25,842,367.42 RUB. According to the applicable exchange rate, this amount represented 10,774,748 MDL. Assuming that 50% of this amount was saved, as declared by the subject and her mother, the potential savings would total 5,387,374 MDL (see §§ 27–47 of the hearing notice).

59. During the hearing, the subject contested the Commission's calculations, claiming that her mother's salary consisted of several components, of which

only one ("*salariul de bază*") was taxable under the general taxation rules. The other components, which were allegedly allowances, were taxed at 12%. She further stated that the difference between her estimates and the Commission's calculations was about 100,000 RUB.

60. The subject further claimed that her mother's pension for 2007–2009, averaging 170,000 RUB per year, had not been considered. As a result, more than half a million Rubles remained unaccounted for.

61. However, the Commission notes that the income declarations she submitted for those years contain no pension income, unlike the declarations from 2010 onward, where such income is reported.

62. The Commission also did not identify any indication in the salary certificates submitted for the years 1998–2001 that the salary was composed of multiple components. The only notation found was "MKC," placed under the "territorial conditions" section, which may refer to a regional northern coefficient. However, the certificates do not show that any part of the salary was taxed differently or treated separately for tax purposes.

63. Finally, even if the subject's objections were upheld and a correction in her favor were warranted, it would not affect the Commission's conclusions. Adding 100,000 RUB to the net amount of 25,842,367.42 RUB established in the re-evaluation, there would still be insufficient funds to justify the donation (see §§ 141–143 of the initial evaluation report and §§ 47–53 of the hearing notice in the re-evaluation procedure).

64. Furthermore, during the re-evaluation the subject stated that the donation did not originate from income accumulated between 1998 and 2012, but from savings accumulated between 1990-1998 (§ 32). Consequently, the calculations relating to the 1998–2012 income are no longer applicable to assess the financial capacities of the subject's mother.

Financial capacity 1990-1998

65. For the period 1990–1998, the subject's mother declared three sources of income: (1) proceeds from the sale of two houses, (2) proceeds from the sale of timber, and (3) savings accumulated from the income earned during the same period (§§ 46-49 above).

Proceeds from the sales of houses

66. Initially, the subject stated that neither she nor her mother had any information or documents regarding these sales due to the passage of time (see §§ 33-34 above).

67. The Commission only found information in public records for the house in Corbu, which had a recorded sale price of 30,000 MDL. No information was found in public registers regarding the second property located in Dondușeni.

68. However, during the hearing, the subject submitted copies of the sale-purchase contracts for both houses.

69. The first contract concerned the house in Corbu village and was signed on 22 February 2000 by the subject's father, as seller (represented by the subject's brother, V.S., under a power of attorney), and the buyer, L.I. According to the contract, the property consisted of an 82 sq m house on a 0.06 ha plot and was sold for 30,000 MDL.

70. The second contract related to the house located in Dondușeni. It was signed on 30 April 1997, by the subject as the seller and G.I., as buyer. The property consisted of a 45 sq. m. dwelling and several auxiliary outbuildings, situated on a 600 sq. m. plot of land on Cernova Street. The contract indicates a sale price of 9,000 MDL, as reflected in the copy submitted during the hearing.

Proceeds from the sale of timber

71. Based on the subject's and her mother's statements (§§ 34, 47), the alleged timber sale occurred between 1991 and 1993. The wood was reportedly purchased in Russia and sold to a collective farm.

Accumulated savings from income 1990-1998

72. The Commission has no documentary evidence regarding the subject's mother's income received from her activity for the period 1990–1998. The only available information derives from the statements made during the initial evaluation hearing.

73. The subject's mother stated that since approximately 1992, she has been leaving part of her salary with her parents (see § 46 above). However, no information about the frequency of her border crossings was presented to the Commission. Such information could have been demonstrated through passport stamps, external medical insurance records, or flight/train tickets. In the absence of this evidence, the Commission was unable to corroborate the subject's mother's statements regarding the frequency of crossings. Neither was the Commission able to estimate, not even theoretically, the amounts that could have been brought into the Republic of Moldova during the period 1990-1998.

74. The Commission notes that the only documented amounts are 30,000 MDL and 9,000 MDL, derived from the sale of the two houses in 1997 and 2000, respectively. The subject argued that the contracts reflected the cadastral value and suggested that the actual sale prices were higher. However, no corroborating documents or alternative figures were submitted.

75. Regarding the proceeds from the sale of timber, neither the subject nor her mother could provide information on the quantity, price, transportation, or other key details. Additionally, no documents have been preserved due to the amount of time that has elapsed. Consequently, the account remains unsubstantiated, making it impossible to confirm the existence of, or the proceeds from the declared transactions.

76. Regarding the subject's mother's income in the Russian Federation between 1990 and 1998, the only documentary evidence is her employment booklet ("carnet de muncă"), confirming her employment, and a salary certificate for 1998. According to this certificate, her annual income amounted to approximately 20,000 USD. This amount contrasts with the alleged monthly income of 7,000–10,000 USD for the earlier years.

77. The subject attributed this discrepancy to the redenomination of the Russian Ruble and the financial devaluation of the period. However, the 1998 redenomination entailed the removal of three zeros from the nominal value of the Ruble (one new ruble equals 1,000 old Rubles), which did not affect the currency's real purchasing power. Moreover, only the Ruble was affected by the redenomination; foreign currencies kept their value.

78. According to the RUB/USD exchange rate data published by the Central Bank of Russia[1] the Ruble experienced extreme volatility throughout the 1992–1998 period. No data is available on the CBR website before July 1992. Thus, on 31 July 1992, the exchange rate was approximately 161 RUB per USD, reaching 414 RUB per USD by December of the same year.

79. This pattern continued in the following years. The rate increased to 1,247 RUB per USD at the end of 1993, 3,550 RUB per USD by the end of 1994, and fluctuated between 4,640 and 5,600 RUB per USD throughout 1995–1996. During this latter period, the rates were relatively stable. These fluctuations demonstrate that, without an exact documented salary, it is impossible to reconstruct the subject's mother's historical income or its USD equivalent for the period before 1998. Moreover, it is highly unlikely that the subject's

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[1]https://cbr.ru/eng/currency_base/daily/?UniDbQuery.Posted=True&UniDbQuery.To=31.07.1992

mother's salary remained identical over such a long period, particularly given the hyperinflation, wage freezes, irregular indexation, and economic instability characteristic of Russia during those years.

80. The two property sales occurred 12 and 15 years before the alleged donation to the subject's husband. No supporting evidence was provided to demonstrate that the funds obtained many years earlier were retained until the time of the alleged donation. And the money earned from selling the two village properties was not significant enough to fund the claimed donation.

81. A similar issue arises regarding the income allegedly earned by the subject's mother from 1990 to 1998. The Commission does not dispute that she received a salary, but the amounts indicated and, in particular, their alleged preservation until 2012 are not supported by any documentation.

82. Moreover, as the subject's mother herself stated, she covered various expenses during that period, including the purchase of an apartment for the subject as a wedding gift, the buying of a car, payments for the studies of the subject and her husband, and providing continuing financial support (§ 135 of the initial evaluation report). During the hearing, the subject confirmed that her mother had incurred substantial expenses.

83. Moreover, there is no estimation of the financial support offered to the subject's brother, although the mother supported both children (see § 39 above). No information was submitted to clarify what portion of the alleged income might have remained after these expenditures or how such sums could be maintained until the time of the donation. Additionally, the re-evaluation established further substantial expenditures incurred between 1995 and 2011 by the subject's family and her brother (§§ 47-62 of the hearing notice). This would have further diminished the mother's available pool of savings to cover the purported financial help provided to the subject's family.

84. The subject requested the Commission to consider the average salary in the Russian Federation during the relevant years and to apply the 22% margin that she used in her own calculations. At the same time, she did not indicate an official source for the national average salary for the period 1990–1998. She also failed to specify the relevant employment category, regional variations, or the statistical methodology on which such an average would be based.

85. The Commission sought to identify relevant information from publicly available Russian government sources. However, historical salary statistics

from the early to mid-1990s appear to be unavailable. Additionally, the subject did not submit a concrete calculation or reference dataset that would enable the Commission to verify or reproduce the proposed methodology.

Fiscal amnesty declaration and the donation purpose

86. In addition to assessing the financial capacity of the subject's mother, the Commission examined whether the conditions for the fiscal amnesty declaration had been met. It also assessed whether the stated purpose of the donation was consistent with the circumstances in which it was made.

87. Under Article 226^7 of the Fiscal Code (as in force on 1 January 2012), individuals were required to declare any amounts of 500,000 MDL or more held in their possession as of that date. During the re-evaluation, the subject acknowledged that her husband did not possess the amount of 990,000 MDL on 1 January 2012, explaining that the funds were held by her parents. However, the fiscal provision referred not only to the existence of the funds but expressly to their possession by the declarant.

88. The subject also did not clarify in re-evaluation why the amount was declared entirely in MDL, although the subject's mother stated that the funds had been transferred in foreign currency. The subject explained that the conversion was done "to facilitate the fiscal declaration." However, the amnesty form contained separate sections for funds held in MDL and in foreign currency.

89. The subject's explanations do not dispel the uncertainties regarding the non-compliance with the legal requirements when submitting the fiscal amnesty declaration.

90. Moreover, during this period, Article 226^7 underwent several amendments, and only the December amendment removed the provision that treated amounts declared under the amnesty as taxable. Consequently, in February 2012, when the decision to make the donation was allegedly taken, it would have been subject to taxation, making it less advantageous than a direct non-taxable donation, based on Article 20 of Fiscal Code.

91. The timing of the donation also raises concerns. Despite the declared urgency of providing financial support to preserve the marriage, the parents-in-law transferred the funds only after almost ten months. The subject explained that the fiscal amnesty declaration could not be submitted until before the issuance of the implementing order. According to this explanation, the parents-in-law appear to have waited to file their own

amnesty declarations before transferring the funds. Nevertheless, four more months passed before the funds were transferred.

92. The Commission also notes inconsistencies in the stated purpose of the donation. In the initial evaluation, the subject explained that her husband had been obliged to accept the money as financial assistance (Round I, Q. 3, lit. c) from the initial evaluation). Despite their efforts to manage independently, the economic realities in the Republic of Moldova made parent's support necessary. The subject's mother likewise referred to tensions arising from perceived differences in the level of support provided by the two families.

93. In the re-evaluation, however, the subject stated that the funds were not intended to address financial difficulties but rather to serve as a money reserve (see § 42). This explanation is difficult to reconcile with the earlier statements describing the donation as essential financial support. Moreover, the funds allegedly received through this donation were declared as having been spent during the period 2012–2015 (see the analysis of the inexplicable wealth by year below).

94. The Commission further observes that, although the subject stated that both families wanted to help, the parents-in-law, who allegedly possessed approximately one million MDL, did not provide partial financial support at the relevant time, even though the subject's husband was their only child. At the same time, the subject mentioned that they had helped with products and other contributions. These explanations do not clarify how the declared purpose of the donation is compatible with the circumstances described by the subject and her mother, in particular the criticisms concerning the imbalance in the financial assistance provided by both families.

Conclusions

95. The Commission notes several contradictions in the subject's statements. The origin of the funds was attributed to either the period 1990–1998 or 1998–2012. The purpose of the donation also changed during the proceedings. In addition, the accounts provided by the subject and her mother do not entirely correspond.

96. No documentary evidence was submitted to prove the accumulation, transfer, or preservation of the alleged funds. There is likewise no proof of the significant income claimed for the pre-1998 period. The only demonstrated amounts, are the proceeds from the two property sales, and they are insufficient to generate savings capable of covering a donation of

990,000 MDL. This conclusion is reinforced by the substantial expenses the subject's mother incurred during the relevant period, as documented in both the initial and re-evaluations.

97. The fiscal amnesty declaration also failed to comply with the legal requirements. The husband did not possess the funds on 1 January 2012 and the declared amounts does not correspond to the currency in which the funds were allegedly held. The Commission reiterates that a fiscal amnesty declaration, by itself, does not prove the existence or legitimacy of the funds. This position is consistent with the Commission's prior practice. In previous cases, fiscal amnesty declarations were not accepted in the absence of corroborating evidence (see *Ion Buruiana* Report, §§ 101–102; *Mariana Ursachi* Report, §§ 178–181).

98. Considering these circumstances and particularly considering the findings regarding the financial capacity of the subject's mother, the explanations provided do not dispel the doubts surrounding the 990,000 MDL declared by the subject's husband under fiscal amnesty. The Commission therefore does not accept the 990,000 MDL as an incoming financial flow.

B. The attribution of the vehicle BMW X4 to the subject's household

Commission's findings (§§ 210-239 of the initial evaluation report)

99. Based on the sale-purchase contract dated 24 July 2017, the subject's daughter purchased a BMW X4, m/y 2014, for 400,000 MDL.

100. Concerning the source of funds, the subject claimed the vehicle was a graduation gift from her in-laws to her daughter, purchased with funds declared under the 2012 fiscal amnesty. The Commission rejected this explanation for lack of supporting evidence and financial traceability.

101. The Commission determined the actual purchase price to be 600,000 MDL, not 400,000 MDL, based on factors such as the vehicle's initial price, low mileage, market value, CASCO insurance value, and resale price after 10 months.

102. Finally, the purchase was attributed to the subject, since in 2017 her daughter was financially dependent on her, as confirmed by declarations submitted to the NIA and the SFS.

SCM's findings (Decision of 15 July 2025, § 3.8.3.)

103. The SCM did not overturn the Commission's findings regarding the source of funds and the value of the vehicle, and therefore, these aspects were not reassessed in the reevaluation procedure.

104. At the same time, the SCM noted that there is no information or evidence to support the attribution of the BMW X4 purchase to the subject. It stated that, to reach such a conclusion, the Commission should have identified additional elements, such as:

- substantial and unrestricted use of the vehicle;
- a financial link between the subject and the acquisition (e.g., bank transfers or cash withdrawals shortly before the purchase); or
- indicators of asset concealment, such as the failure to declare the use of the vehicle to the NIA.

Re-evaluation procedure

105. During the reevaluation procedure, the Commission requested that the subject provide updated information on the household composition in 2017, her daughter's income for the same year, and clarifications regarding the contradictory statements about whether her daughter was a dependent.

The subject's explanations

106. The subject stated that there were no contradictions between her various statements concerning her daughter. She explained that she had declared her daughter to the NIA in 2017 because the latter was living with her and had no income. At the same time, she indicated that the owner of the vehicle was her daughter. She argued that the mere declaration of her daughter to the NIA, does not transform the vehicle into her own asset.

107. In summary, the subject maintained that her daughter's status as her dependent does not make her the effective beneficiary of the vehicle. She stated that, as mentioned by the SCM, in order to attribute the vehicle to her outgoing financial flow, the Commission must demonstrate that she actually used the vehicle; and in the absence of any financial link between her and the car, it should not be attributed to her.

The Commission's assessment

108. According to the Annex to the Commission's Rules, the formula for calculating inexplicable wealth applies to the entire household. However, where justified, it may be applied separately to each household member. In practice, this means that all income received by members of the household is

included in the incoming financial flow, while all expenditures made by them are included in the outgoing financial flow. A particular income or expenditure may be excluded from the calculation only if it is demonstrated that the asset was acquired from sources outside the household, for example, through a donation or unaccounted external income.

109. In the present case, the subject's household in 2017 consisted of the subject, her husband, and their daughter. The subject and her husband were contributing members, while their daughter was a non-contributing member with no personal income and financially dependent on her parents. These circumstances were confirmed by the subject's declarations submitted to the NIA and SFS, as well as by her statements before the Commission in initial evaluation (Round I Q1).

110. In addition, in her written explanation to judicial inspector Roșca Valentin, she stated that she declared her daughter's apartment on Trandafirilor in her 2018 NIA declaration because she was her dependent, as provided by Article 4 para. (2) of Law No. 133/2016. The article stipulates two conditions that must be met cumulatively: the individual must live with the subject of the declaration and must have an annual income that does not exceed two months' salary.

111. During the initial evaluation, the subject declared that the vehicle in question was a gift from her in-laws to her daughter. However, the Commission did not accept this source of funds, as the evidence provided failed to demonstrate the financial capacity of the in-laws to make such a donation (§§ 231-239 of the evaluation report). The SCM did not overturn this conclusion.

112. In a comparable case, the Commission refrained from attributing certain vehicles purchased by a family member to the subject, due to insufficient evidence linking them to the subject (*Commission Report of 15 April 2025*). Subsequently, by a decision rejecting the Commission's report, the SCM clarified that cohabitation and financial dependence create a presumption of shared economic responsibility. This requires an aggregated evaluation of the household income and expenses. In the absence of clear evidence demonstrating the family member's financial independence, such assets should be included in the calculation of inexplicable wealth[2].

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[2] At the time of the approval of the present report, the cited report and the SCM decision are not public, pursuant to Article 17 para. (8) of Law no. 252/2023, which does not allow for the specific citation of the case.

113. Applying the SCM's reasoning to the present case, it follows that since the subject's daughter was part of the household, had no personal income, and was financially dependent on her parents, there is a reasonable presumption that the vehicle was acquired from household resources. In the absence of clear evidence demonstrating an external source of funds, the vehicle should therefore be included in the calculation of the household's inexplicable wealth and attributed to the subject.

C. The potential duplication of certain expenses when considered in addition to the consumption expenditure per population (hereinafter "CEP")

Commission's findings (initial evaluation report, §§ 168, 177, 187, 201, 206, and 240)

114. In calculating the difference between assets, income, and expenses, the Commission included, in addition to the CEP, several specific expenditures identified in the bank statements or declared by the subject. These expenditures included tuition fees at a private lyceum, transportation to the Bender Court, and payments for clothing, footwear, restaurants, and leisure activities. They were included separately because they represent significant expenses not covered by the CEP variables.

The SCM's findings (Decision of 15 July 2025, § 3.8.2.)

115. The SCM noted that certain expenses included in the outgoing financial flows for 2012, 2013, 2015, and 2017 were partially covered by CEP. Therefore, these expenses should not have doubled the Commission's calculations. Referring to the *Ursachi* and *Cecan* reports, the SCM noted that the Commission should reevaluate this situation to avoid double standards.

Re-evaluation procedure

116. The Commission asked the subject to indicate which expenses, in her view, had been doubled by the CEP and to provide alternative calculations. The subject submitted her own calculations and requested the exclusion of CEP variables relating to education, transport, clothing and footwear, restaurants, and leisure. Some of these expenses applied across multiple years (e.g., education and transport), while others concerned only specific years.

117. Pursuant to point 3.8 of the Annex to the Rules, when assessing inexplicable wealth, the Commission also considers expenses other than those estimated through the CEP. Such expenses include expenditures for real estate, vehicles, precious items, stocks, as well as immaterial expenses such as vacations, weddings, and school fees.

118. Where a subject's bank account activity indicates a standard of living exceeding the average expenditures estimated by the CEP, expenses exceeding the CEP and identified on bank accounts are included in the outgoing financial flow, subject to safeguards. The safeguards described in paragraphs below are applied alternatively, depending on whether the subject had sufficient net cash available in a given year to cover CEP-related daily expenses.

119. Where net cash available in a given year exceeds the CEP together with other potential cash expenses, the Commission presumes that such cash was used to cover daily expenses represented by the CEP. Net cash available is determined on the basis of cash withdrawals, cash deposits, and changes in cash savings. Withdrawn cash that is neither redeposited into bank accounts nor declared as savings is presumed to have been spent in the year of withdrawal. Other cash expenses are taken into account only where the subject explains that they were paid from personal income or cash savings. The Commission nevertheless acknowledges that certain cash expenses or increases in cash savings may derive from illicit or undeclared sources.

120. Conversely, where the subject did not have sufficient net cash available to cover daily expenses as estimated by the CEP, the Commission applies safeguards aimed at avoiding double counting of expenses.

121. In such cases, the Commission first determines the category of expenses identified on bank accounts by reference to the corresponding CEP expense category.

122. Where the expenses identified on bank accounts fall within or below the relevant CEP category, such expenses are excluded from the outgoing financial flow, as they are considered to be covered by the CEP.

123. Where expenses identified on bank accounts exceed the relevant CEP category, only the amount exceeding the CEP is attributed to the outgoing financial flow, reflecting a higher-than-average standard of living.

124. Since the SCM decision did not specify which expenses were duplicated, the Commission included in the hearing notice all categories that could overlap with the CEP, as noted above. The subject agreed with the Commission's recalculations during the hearing.

125. However, the Commission notes that, in its judgment of 7 November 2025 in *Ion Țetcu*, § 46, the Supreme Court of Justice held that CEP education indicators do not include private school tuition and therefore cannot be

reduced when such tuition is calculated separately. This conclusion is directly applicable to the present case.[3]

126. Therefore, the Commission maintained the full tuition fee for the private lyceum in its final calculations. At the same time, the amounts that could hypothetically be excluded: 2012 (-835.2 MDL), 2013 (-889.2 MDL), 2014 (-1,234.8 MDL), and 2015 (-608.4 MDL) represent a total of -3,567.6 MDL. Even if excluded, this adjustment would not significantly affect the final negative balance.

127. Other expenses (transport, clothing, footwear, restaurants, and agreements) were calculated by the Commission based on the methodology provided in §§ 117–123 above. The detailed calculations are provided below in the section on the assessment of inexplicable wealth per year.

D. Per year analysis of inexplicable wealth

Inexplicable wealth for 2012

Incoming financial flow

128. According to the SFS, in 2012, the subject received a net salary of +54,340 MDL as a judge. At the end of 2011 (i.e., at the beginning of 2012), she had cash savings of +10,000 MDL. According to the Rules, this sum is treated as an incoming financial flow for 2012 because it represents savings from the previous year.[4]

129. In addition, the subject held +990,000 MDL because of her own fiscal amnesty declaration made in 2012, which the Commission accepted as an incoming financial flow (§§ 84-86 of the initial evaluation report). As set out in §§ 95-98, the Commission did not accept the fiscal amnesty declaration made by her husband as an incoming financial flow. Therefore, the subject's household had a total of +990,000 MDL in cash savings.

130. In June 2012, the subject's husband sold a Mercedes E250CDI m/y 2010 for 15,000 EUR (227,100 MDL). Accordingly, her household's total incoming financial flow in 2012 was +1,281,440 MDL.

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[3] https://jurisprudenta.csj.md/search_col_civil.php?id=80067

[4] As accepted by the ECtHR in the case of Xhoxhaj v. Albania (see footnote no. 1 of the Judgement), savings (both cash and bank) may have a double nature: at the start of the year, they count as incoming cash flow; at the end of the year, they count as outgoing cash flow. The outflow of savings at the end of the previous period is equal to the inflow of savings at the beginning of the following period.

Outgoing financial flow

131. In 2012, besides the CEP[5] (which included 12 variables as identified by NBS)[6], the outgoing financial flow included the following expenses: savings, tuition at a private lyceum, daily traveling to the Bender Court, a sports club subscription, expenses incurred by the subject's husband (vacation, daughter studies abroad, extracurricular activities), the purchase of a vehicle and vacation (§§ 160-168 of the initial evaluation report).

132. For 2012, the subject requested excluding 484 MDL for education and 2,419 MDL for transport, as they are already covered by the CEP variables.

133. In 2012, the education CEP variable for the subject's household was 835,2 MDL (23,2 MDL per month × 12 months × 3 members). In the same year, the Commission included 15,600 MDL as the tuition fee for the private lyceum. Considering the findings set out in §§125–126, the Commission maintained the full CEP and the full tuition fee for the private lyceum.

134. Regarding transport, the CEP variable for the subject's household in 2012 was 3,528 MDL (98 MDL per month × 12 months × 3 members). In the same year, the Commission included 34,647 MDL as fuel expenses for daily travel

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[5] The Commission uses the NBS' estimations of consumption expenditure for the population to quantify expenditures on essential (non-declared) expenses. The CEP was chosen particularly due to the NBS reliance on surveys of real expenses incurred by randomly selected individuals surveyed. Accordingly, the CEP provides reliable data on the annual expenses incurred according to demographic background, size of the household and geographic location (urban/rural).

The CEP for any year between 2006-2018 is calculated based on NBS methodology, available on the NBS website. This link is reached from the home page of the NBS website following these steps (tabs): - *Statistics by theme – Society and social conditions - Living standard of population - Stat bank - Population expenditure – Discontinued series - Household expenditures (2006-2018, based on resident population) - Consumption expenditures of population by purpose of expenditures, number of children in household and area, 2006-2018*.

The following variables were selected: *Year - Consumption expenditures total – Area (Urban/Rural) – Number of children (if no children, without children is chosen) – Lei, average monthly per capita for one person.* The generated result was multiplied by the number of family members and then was further multiplied by 12 calendar months.

The CEP for any year between 2006-2018 is calculated based on NBS methodology, available on the NBS website at Cheltuieli de consum medii lunare pe o persoana. PxWeb

This link is reached from the home page of the NBS website following these steps (tabs): - *Statistics by theme – Society and social conditions - Living standard of population - Stat bank - Population expenditure - Consumption expenditures of population by purpose of expenditures, number of children in household and area, 2006-2018.*

[6] In 2012, the CEP was composed of 12 categories/variables: food products; alcoholic beverages and tobacco; clothing and footwear; housing maintenance; household equipment; medical care and health; transport; communication; leisure; education; hotels, restaurants, cafés, etc.; and other expenses.

to the Bender Court. Accordingly, the Commission retained only the amount exceeding the CEP variable, namely: 34,647 MDL-3,528 MDL=31,119 MDL.

135. Regarding leisure, the CEP variable for the subject's household in 2012 was 1,670.4 MDL (46,4 MDL per month × 12 months × 3 members). In the same year, the Commission included 19,500 MDL as vacation expenses. Accordingly, the Commission retained only the amount exceeding the CEP variable, namely:19,500 MDL-1,670.4 MDL=17,830 MDL.

136. The other expenses included in the outgoing financial flow remained the same as in the initial evaluation procedure. It follows that, for 2012, the subject's household's outgoing financial flow exceeded incoming financial flow by -167,398 MDL.

Table 1. Incoming and outgoing financial flows for 2012

INCOME (MDL)		**EXPENSES (MDL)**	
Savings (both bank and cash) at the beginning of the year	+10,000	Savings (both bank and cash) at the end of the year	-990,000
Salary at Bender District Court	+54,340	Payments for studies at private lyceum	-15,600
Declaration of availability of cash in the national currency to SFS by the subject	+990,000	Expenses for daily travel to the Bender Court	-31,119 (34,647-3,528)
Income from sale of vehicle Mercedes E250CDI	+227,100	Sport club payments (N.F.C.)	-7,193
		Expenses made by subject's husband (vacation, daughter studies abroad, extracurricular activities, in addition to the expenses listed separately)	-104,900
		Procurement of vehicle Skoda Octavia	-213,080
		Vacation - 08/2012	-17,830

			(19,500-1,670)
		CEP for 2012	-69,116
Total	**+1,281,440**		**-1,448,838** **-1,454,036 (initial evaluation)**
Difference	**-167,398** **-172,596 (initial evaluation)**		

Inexplicable wealth for 2013

Incoming financial flow

137. According to the SFS, in 2013 the subject received a net salary of +61,700 MDL as a judge at the Bender District Court. At the end of 2012 (i.e., at the beginning of 2013), she had cash savings of +990,000 MDL resulting from her fiscal amnesty declaration made in 2012. Therefore, the subject's household had +1,051,700 MDL as incoming financial flow.

Outgoing financial flow

138. Besides the CEP, the outgoing financial flow also included the following expenses: savings, tuition at a private lyceum, daily travel to the Bender Court, expenses incurred by husband (vacation, extracurricular activities), studies abroad, a payment to Vernisaj (clothing, footwear, accessories) and vacation (§§ 172-177 of the initial evaluation report).

139. On 19 June 2013, the subject's husband paid 2,495 GBP (the equivalent of 48,177.70 MDL) from the MAIB account MD72AGxxxxx6955 to the Commerzbank account MD06AGxxxx7986 for their daughter's studies at the international summer school (K.E.).

140. For 2013, the subject requested the exclusion of 515 MDL for education, 2,576 MDL for transport, and 1,390 MDL for clothing.

141. In 2013, the education CEP variable for the subject's household was 889,2 MDL (24,7 MDL per month × 12 months × 3 members). In the same year, the Commission included 15,600 MDL as the tuition fee for the private lyceum.

As for 2012, in light of the findings set out in §§ 125–126, the Commission maintained the full CEP and the full tuition fee for the private lyceum.

142. In 2013, the transport CEP variable for the subject's household was 4,615.2 MDL (128,2 MDL per month × 12 months × 3 members). In the same year, the Commission included 34,647 MDL for fuel for daily trips to the Bender Court. The Commission therefore retained only the amount exceeding the CEP variable, namely: 34,647 MDL – 4,615.2 MDL = 30,031.8 MDL.

143. In 2013, the clothing and footwear CEP variable was 7,869.6 MDL (218,6 MDL per month x 12 months x 3 members). In the same year, the Commission included a payment of 1,390 MDL to VERNISAJ (clothing, footwear, accessories). The Commission excluded the payment of 1,390 MDL from the outgoing financial flow.

144. Regarding leisure, the CEP variable for the subject's household in 2013 was 1,627.2 MDL (45,2 MDL per month × 12 months × 3 members). In the same year, the Commission included 20,000 MDL as vacation expenses. Accordingly, the Commission retained only the amount exceeding the CEP variable, namely: 20,000 MDL-1,627.2 MDL= 18,373 MDL.

145. The other expenses included in the outgoing financial flow remained the same as in the initial evaluation procedure. It follows that, for 2013, the subject's household's outgoing financial flow exceeded incoming financial flow by -240,309 MDL.

Table 2. Incoming and outgoing financial flows for 2013

INCOME (MDL)		**EXPENSES (MDL)**	
Savings (both bank and cash) at the beginning of the year	+990,000	Savings (both bank and cash) at the end of the year	-990,000
Salary at Bender District Court	+61,700	CEP for 2013	-73,605
		Expenses made by subject's husband (vacation, daughter studies abroad, extracurricular activities, in addition to the expenses listed separately)	-116,223

		Payment for studies abroad (transfer to account of Commerzbank) from MAIB account	-48,177
		MAIB payment VERNISAJ	0 (-1,390 excluded)
		Payments for studies at private lyceum	-15,600
		Expenses for daily travel to the Bender Court	-30,031.8 (34,647-4,615.2)
		Vacation - 08/2013	-18,373 (20,000-1,627)
Total	**+1,051,700**		**-1,292,009** **-1,299,642 (initial evaluation)**
Difference	**-240,309** **-247,942 (initial evaluation)**		

Inexplicable wealth 2014

Incoming financial flow

146. According to the SFS, in 2014 the subject received a net salary of +97,039 MDL as a judge at the Bender District Court. At the end of 2013 (i.e., at the beginning of 2014), she had cash savings of +990,000 MDL resulting from her fiscal amnesty declaration made in 2012. Therefore, the subject's household had +1,087,039 MDL as incoming financial flow.

Outgoing financial flow

147. In 2014, besides the CEP, the outgoing financial flow also included the following expenses: savings, tuition at a private lyceum, daily travel to the Bender Court, expenses incurred by husband (vacation, extracurricular activities), sports club subscription, a payment to Queens Residence Park IM LLC (event complex) and vacation (§§ 181-187 of the initial evaluation report).

148. For 2014, the subject requested to be excluded from the outgoing financial flow 535 MDL for education, 2,677 MDL for transport, and 1,285 MDL for leisure.

149. In 2014, the education CEP variable for the subject's household was 1,234.8 MDL (34,3 MDL per month × 12 months × 3 members). In the same year, the Commission included 26,529 MDL as the tuition fee for the private lyceum. As for 2012 and 2013, in light of the findings set out in §§ 125–126, the Commission maintained the full CEP and the full tuition fee for the private lyceum.

150. In 2014, the transport CEP variable for the subject's household was 3,765.6 MDL (104,6 MDL per month × 12 months × 3 members). In the same year, the Commission included 34,647 MDL for fuel for daily trips to the Bender Court. The Commission therefore retained only the amount exceeding the CEP variable for transport, namely: 34,647 MDL – 3,765.6 MDL = 30,881.4 MDL.

151. In the same year, the leisure CEP variable was 1,544.4 MDL (42,9 per month x 12 months x 3 members). In the same year, the Commission included a payment of 1,285 MDL to Queens Residence Park IM LLC. The Commission excluded the payment of 1,285 MDL from the outgoing financial flow.

152. The other expenses included in the outgoing financial flow remained the same as in the initial evaluation procedure. It follows that, for 2014, the subject household's outgoing financial flow exceeded its incoming financial flow by -319,994 MDL.

Table 3. Incoming and outgoing financial flows for 2014

INCOME (MDL)		EXPENSES (MDL)	
Savings (both bank and cash) at the beginning of the year	+990,000	Savings (both bank and cash) at the end of the year	-990,000

Salary at Bender District Court	+97,039	CEP for 2014	-76,464
		Expenses made by subject's husband (vacation, daughter studies abroad, extracurricular activities, in addition to the expenses listed separately)	-252,971
		Sport club payment (N.F.C.)	-9,688
		Payment to Queens Residence Park LLC MAIB account	0 (-1,285 excluded)
		Payments for studies private lyceum	-26,529
		Expenses for daily travel to the headquarters of Bender Court	-30,881.4 (34,647 - 3,765.6)
		Vacation - 08/2014	-20,500
Total	**+1,087,039**		**-1,407,033** **-1,412,084 (initial evaluation)**
Difference	**-319,994** **-325,045 (initial evaluation)**		

Inexplicable wealth for 2015

Incoming financial flow

153. According to the SFS, in 2015 the subject received a net salary of +114,024 MDL as a judge (68,914 MDL from the Bender District Court and 45,110 MDL from the Botanica District Court, Chisinau municipality). In addition, the

husband received a net salary of +17,750 MDL from the Customs Service in 2015.

154. At the end of 2014 (i.e., at the beginning of 2015), the subject had cash savings of +990,000 resulting from her fiscal amnesty declaration made in 2012. In addition, her husband sold a Skoda Octavia, m/y 2010 in June 2015 for 11,000 EUR (227,700 MDL). Therefore, the subject's household had +1,349,474 MDL as incoming financial flow.

Outgoing financial flow

155. In 2015, besides the CEP, the outgoing financial flow also included the following expenses: savings, tuition at a private lyceum, daily travel to the Bender Court, a payment to DARITEXTIL (clothing and footwear), repair works in the appartement and vacation (§§ 193-201 of the evaluation report).

156. For 2015, the subject requested to be excluded from the outgoing financial flow 608 MDL for education, 3,038 MDL for transport, and 7,000 MDL for clothing and footwear.

157. In 2015, the education CEP variable for the subject's household was 608,4 MDL (16.9 MDL per month × 12 months × 3 members). In the same year, the Commission included 10,497 MDL as the tuition fee for the private lyceum. As for 2012, 2013, and 2014 in light of the findings set out in §§ 125–126, the Commission maintained the full CEP and the full tuition fee for the private lyceum.

158. In 2015, the transport CEP variable for the subject's household was 4,759.2 MDL (132.2 MDL per month × 12 months × 3 members). In the same year, the Commission included 11,549 MDL for fuel for daily trips to the Bender Court. The Commission therefore retained only the amount exceeding the CEP variable for transport, namely: 11,549 MDL – 4,759.2 MDL = 6,789.8 MDL.

159. In 2015, the clothing and footwear CEP variable for the subject's household was 10,476 MDL (291 MDL per month x 12 months x 3 members). In the same year, the Commission included a payment of 7,000 MDL to DARITEXTIL (clothing and footwear). The Commission excluded the payment of 7,000 MDL from the outgoing financial flow.

160. Regarding leisure, the CEP variable for the subject's household in 2015 was 1,828.8 MDL (50,8 MDL per month × 12 months × 3 members). In the same year, the Commission included 21,600 MDL as vacation expenses.

Accordingly, the Commission retained only the amount exceeding the CEP variable, namely: 21,600 MDL-1,828.8 MDL =19,772 MDL.

161. The other expenses included in the outgoing financial flow remained the same as in the initial evaluation procedure. It follows that, for 2015, the subject's household's outgoing financial flow exceeded incoming financial flow by -342,098 MDL.

Table 4. Incoming and outgoing financial flows for 2015

INCOME (MDL)		**EXPENSES (MDL)**	
Savings (both bank and cash) at the beginning of the year	+990,000	Savings (both bank and cash) at the end of the year	-917,700
Salary at Bender District Court	+68,914	CEP for 2015	-86,814
Salary at Botanica District Court at Chisinau	+45,110	Retail payment DARITEXTIL Moscova	0 (-7,000 excluded)
Salary at Customs Service	+17,750	Payments for studies private lyceum	-10,497
Income from sale of vehicle Skoda Octavia, reg. no. CQA 484	+227,700	Expenses made by subject's husband (pre-ordering materials for the repair of the apartment of daughter)	-350,000
		Expenses for daily travel to the Bender Court	-6,789.8 (11,549-4,759.2)
		Expenses from funds used for repair works of apartment from declared cash under Fiscal Amnesty from 2012 by subject	-300,000

		Vacation - 08/2015	-19,772 (21,600-1,828)
Total	**+1,349,474**		**-1,691,572** **-1,705,160 (initial evaluation)**
Difference	**-342,098** **-355,686 (initial evaluation)**		

Inexplicable wealth for 2017

Incoming financial flow

162. According to the SFS, in 2017 the subject received a net salary of +151,029 MDL as a judge (31,684 MDL from Botanica District Court and 119,345 MDL from the Chisinau District Court). The subject's husband received a net salary of +198,243 MDL from the Customs Service in 2017.

163. At the end of 2016 (i.e., at the beginning of 2017), the husband had bank savings of +5,181 MDL in his MAIB bank account. In addition, the subject declared cash savings of +70,000 MDL as of the end of 2016, resulting from the fiscal amnesty declaration, salary savings and financial support received from her parents.

164. The subject obtained a tax refund from Global Blue Tax to the Victoriabank bank account no. 2259xxxx4264 in the amount of 14,226 MDL, following a payment made at an outlet in Italy.

165. Therefore, the subject's household had +438,679 MDL as incoming financial flow.

Outgoing financial flow

166. Besides the CEP, the outgoing financial flow also included the following expenses: savings, a payment to outlet in Italy (clothing and footwear), a payment to VIVIS-PRIM (clothing and footwear), two payments to CARMELO (restaurant), a payment to JULIET ROSE (home textiles, ambient perfumes, décor, tableware, light furniture), a payment to OSHO BAR AND KITCHEN (restaurant), one payment to MORESCHI (luxury men's

footwear, belts, leather goods), a vehicle purchase, CASCO insurance, and vacation (§§ 206-239 of the evaluation report).

167. For 2017, the subject requested to be excluded from the outgoing financial flow 8,939 MDL for clothing and footwear, 1,127 MDL for restaurants, and 1,198 MDL for leisure.

168. In 2017, the clothing and footwear CEP variable for the subject's household was 11,041.2 MDL (306,7 MDL per month x 12 months x 3 members). In the same year, the Commission included payments to various merchants specializing in clothing and footwear, as follows: 8,329 MDL to MORESCHI, 4,482 to VIVIS-PRIM and 49,625 MDL to an outlet in Italy. The Commission therefore retained only the amount exceeding the CEP variable, namely: 8,329 MDL + 4,482 MDL + 49,625 MDL – 11,041.2 MDL = 51,394.8 MDL.

169. In 2017, the restaurants' CEP variable for the subject's household was 2,458.8 MDL (68,3 MDL per month x 12 months x 3 members). In the same year, the Commission included several payments to restaurants, as follows: 2,715 MDL and 4,575 MDL to CARMELO, and one payment of 3,169 MDL to OSHO, amounting to a total of 10,459 MDL. The Commission therefore retained only the amount exceeding the CEP variable, namely: 10,459 MDL – 2,458.8 MDL = 8,000.2 MDL.

170. The subject also requested to be excluded 1,198 MDL under the leisure variable. The leisure CEP variable for the subject's household in 2017 was 2,325.6 MDL (64,6 MDL per month × 12 months × 3 members). The Commission did not identify such a payment. At the same time, in the same year, the Commission included 23,000 MDL as vacation expenses. Accordingly, the Commission retained only the amount exceeding the CEP variable, namely: 23,000 MDL-2,325.6=20,674.4 MDL.

171. As stated in §§ 108-113 above, the Commission included 600,000 MDL for the purchase of the BMW X4 vehicle by the subject's daughter in 2017.

172. The other expenses included in the outgoing financial flow remained the same as in the initial evaluation procedure. It follows that, for 2017, the subject's household outgoing financial flow exceeded incoming financial flow by -444,763 MDL.

Table 5. Incoming and outgoing financial flows for 2017

INCOME (MDL)	EXPENSES (MDL)

Savings (both bank and cash) at the beginning of the year	+75,181	Savings (both bank and cash) at the end of the year	-84,044
Salary at Botanica District Court at Chisinau	+31,684	Procurement of vehicle BMW X4, by subject's daughter	-600,000
Salary at Chisinau District Court	+119,345	CASCO for vehicle BMW X4,	-25,953
Salary at Customs Service	+198,243	Clothing and footwear payments: MORESCHI, VIVIS-PRIM, outlet in ITALY (by card)	-51,394.8 (8,329+4,482+49,625-11,041.2)
Tax refund from Global Blue Tax on VICB account MD16VI225911508190814264	+14,226	Restaurants payments (by card): OSHO, CARMELO	-8,000.2 (3,169+4,575+2,715--2,458.8)
		Retail payment JULIET-ROSE	-1,221
		Vacation - 08/2017	-20,674.4 (23,000-2,325.6)
		CEP for 2017	-92,156
Total	**+438,679**		**-883,442** **-899,269 (initial evaluation)**
Difference	**-444,763** **-460,819 (initial evaluation)**		

173. In 2017, the financial situation of the subject's household differed from other years in which a negative balance was recorded. During the initial evaluation

(Round II, Q. 18), the subject confirmed that at the end of 2017 the household had cash savings of 80,000 MDL.

174. In the same year, the subject withdrew in cash 147,506 MDL from account MD16VIxxxx4264, and her husband withdrew 186,122 MDL from account 22xxx181, totaling 333,628 MDL withdrawn in cash. Accordingly, the difference between the total withdrawn (333,628 MDL) and the accumulated savings (80,000 MDL) was 253,628 MDL.

175. The subject confirmed that the remaining amount of 253,628 MDL was used for consumption expenses. The Commission also established that, in 2017, retail payments made from the same accounts amounted to 31,872 MDL (16,316 MDL from the subject's account and 15,556 MDL from her husband's account).

176. In calculating the outgoing financial flow, the Commission considered the CEP variable and several major retail card payments. However, it did not separately account for cash withdrawals or for retail card payments presumed to be covered by the CEP variable.

177. If both the cash withdrawals and all retail card payments were included, while excluding the CEP variable, which amounted to 285,500 MDL, the misbalance for 2017 would increase to -556,818 MDL. This indicates that, in fact, for 2017, no duplication of CEP-related expenditures occurred. Nevertheless, in light of the SCM decision and to avoid any form of double counting, in this case the Commission applied the same methodology as for previous years.

178. Thus, the subject's household incurred the following inexplicable wealth in the period 2012 – 2023:

Year	Amount of inexplicable wealth, MDL
2012	-167,398
2013	-240,309
2014	-319,994
2015	-342,098
2017	-444,763
Total	**–1,514,562 MDL**

179. The Commission has identified that the subject's household accumulated a negative financial balance of -1,514,562 MDL, which is above the threshold of 20 average salaries (234,000 MDL) required by Article 11 para. (3) lit. a) of Law No. 252/2023 to establish a subject's lack of financial integrity.

V. Conclusion of the resumed evaluation

180. Based on the information it obtained and that presented by the subject, the Commission proposes that the subject does not promote the external evaluation on the grounds of non-compliance with the criteria set in Article 11 para. (3) lit. a) of Law No. 252/2023.

VI. Further action and publication

181. 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.

182. 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.

183. 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.

184. This re-evaluation report was approved by unanimous vote of the participating members on 16 December 2025 and signed pursuant to Article 40 para. (5) of the Rules.

185. Done in English and Romanian.

Andrei Bivol

Chairperson