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# RE-EVALUATION REPORT

approved according to Article 41

of the Rules of Organization and Functioning

# VERONICA CUPCEA

Interim President of Orhei first level Court

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

**14 July 2026**

## Contents

Evaluation Panel C 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 May 2026 and approved the following report on 14 July 2026. The members participating in the approval of the report were:

1. Andrei BIVOL
2. Willem BROUWER
3. Lavly PERLING

The Commission prepared this re-evaluation report, which is limited to the matters referred to by the Superior Council of Magistracy, and should be considered alongside the initial evaluation report.

## I. Introduction

1. On 18 December 2025, the Commission approved the report (hereinafter the "initial evaluation report") concerning Veronica Cupcea (hereinafter the "subject"), under Law No. 252/2023. It proposed her non-promotion based on non-compliance with the criteria for financial integrity set in Article 11 of Law No. 252/2023.

2. On 20 January 2026, the Superior Council of Magistracy (hereinafter the „SCM"), by decision No. 3/1, rejected the report and ordered the resumption of 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 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.

## II. Grounds for the resumed evaluation

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

> "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: […] reject the evaluation report and decide, 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 of Law No. 252/2023:

> "(2) When resuming the evaluation procedure, the Evaluation Commission shall examine the aspects indicated by the respective Council or, as the case may be, by the Supreme Court of Justice, as well as any additional information which, for objective reasons, could not be submitted previously. If the subject of the evaluation agrees, the Commission shall organize repeated hearings. The subject's agreement or, as the case may be, refusal, shall be communicated to the Evaluation Commission within 3 working days from the date of the Commission's request.
>
> (3) The report on the re-evaluation of the subject shall be adopted by the Evaluation Commission in accordance with the rules set forth in Article 17."

7. The initial evaluation report identified one matter which, upon preliminary review, raised doubts as to compliance with the financial integrity criterion established by law.

8. The SCM generally agreed with the Commission's approach in calculating the subject's inexplicable wealth and mentioned that the evaluation was carried out in compliance with the procedure. Nevertheless, it highlighted three aspects related to the financial criterion that require further analysis (§ 3.8., SCM's decision). These concern a loan of 200,000 MDL and alleged subsequent substitution of repayment, the 4,500 EUR obtained from the sale of a vehicle, and alleged cash savings of 98,000 MDL at the end of 2016 and of 94,000 MDL at the end of 2017.

## III. Resumed evaluation procedure

9. On 19 February 2026, the Commission received the SCM's decision. The SCM did not send any additional information or documents.

10. On 3 March 2026, the Commission asked the subject to provide additional information by 15 March 2026 to clarify certain matters (hereinafter the "first round of questions"). The subject provided answers and documents within the deadline.

11. On 6 April 2026, the Commission asked the subject to provide additional information by 17 April 2026 to clarify certain matters (hereinafter the "second round of questions"). The subject provided answers and documents within the deadline.

12. The Commission sought and obtained additional information from public institutions and private entities.

13. During the resumed evaluation, a petition was received from an individual. The petition did not refer to the aspects mentioned by the SCM in its decision. Instead, the petitioner presented a list of judges, including the subject, mentioning only that they had issued rulings that caused citizens moral and material harm. Because this matter was abstract and not within the scope of the resumed evaluation, the petition was not analyzed further, but it was included in the re-evaluation file.

14. On 15 May 2026, 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 regarding the subject's compliance with the financial criterion and invited her to attend a public hearing on 27 May 2026.

15. As provided in Article 39 para. (4) of the Rules, the subject sought and was provided access to all the materials in her evaluation file on 18 May 2026.

16. On 26 May 2026, the subject submitted an additional request to hear several witnesses. The subject was informed that the witnesses will be heard in closed session and that it remained her responsibility to inform them and ensure their presence on the date and time set for the hearing.

17. On 27 May 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 Commission's requests for information. As the subject had been unable to ensure the witnesses' attendance, it was agreed that they would be heard at a later date.

18. On 2 June 2026, the Commission held a closed hearing with the witnesses to discuss the fuel expense issue and the use of the subject's household vehicles. The subject and her attorney participated in the hearing.

19. During the hearing, the subject was assisted by her attorney, Mr. Petru Balan.

20. After the hearing, on 28 Month 2026, the subject submitted additional documents. On 2 June 2026, one of the witnesses heard by the Commission submitted additional information and several pictures. The Commission added the materials to the re-evaluation file and considered them in its analysis.

21. On 8 July 2026, 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 30 July 2026.

## IV. Analysis in the resumed evaluation

22. The Commission analyzed and, where necessary, requested further clarifications regarding the aspects related to the difference between the assets, expenses, and income (hereinafter "unjustified or inexplicable wealth") for 2013, 2014, 2017 and 2020, as noted by the SCM.

23. As a result of a different determination in relation to an adjusted revenue flow (for 2017 instead of 2018) and a newly discovered one, two instances of non-declarations arose that were analyzed from an ethical perspective.

### A. Compliance with the wealth and personal interests declaration regime

*The first instance of non-declaration*

24. In the resumed evaluation, the subject reiterated that in 2017, her son sold a Volkswagen Golf Plus, m/y 2005, for 4,500 EUR, and that the proceeds were added to the household budget. Although the initial evaluation report did not accept this explanation, the Commission accepted in the resumed evaluation both the occurrence of the sale and the inclusion of the proceeds in the household's available funds (see § 67 below).

25. In the first round of questions in the re-evaluation (Question II, b), the subject argued that she had no legal obligation to declare the income from the sale of the vehicle, as she was not its registered owner, but her son. In addition, since 2014 her son no longer qualified as a member of her family as he commenced his activity as a trainee attorney.

26. Although the subject was not obliged to declare the proceeds from the sale of the vehicle, as she was not its registered owner, she failed to declare the income of 4,500 EUR that her son transmitted in 2017 and accepted by the Commission, pursuant to Article 4 para. (1) lit. a) of Law No. 133/2016.

*The second instance of non-declaration*

27. Between 2013 and 2020, the subject's children received money through several international transfers.

| Year | Subject's son | Subject's daughter |
|---|---|---|
| **2013** | 47,000 RUB; 204 EUR | - |

| | | |
|---|---|---|
| **2014** | 3,000 RUB; 350 EUR | - |
| **2016** | 100 EUR | 30 EUR |
| **2020** | - | 950 EUR |

28. The subject did not declare these transfers in her annual declarations, although Law No. 1264/2002 and Law No. 133/2016 required her to declare the income received by family members.

29. In response to the second round of questions of the re-evaluation (Question I, b, c) the subject mentioned that she identified these transfers while reviewing her husband's evaluation file under Law No. 26/2022. In relation to the transfers from 2013 and 2014, the subject mentioned that she was not aware of them. She explained that she cannot provide details about the origin of the transfers and the connection to her son. She could only confirm that, in the summer of 2013, he was in Sochi, Russian Federation, in the context of preparations for the 2014 Olympic Games, and that these transfers most likely represent payments for his work.

30. Regarding the transfer of 950 EUR in 2020 to her daughter (Question V, a), the subject stated that it was a transfer received from her daughter's cousin in Italy. A written statement of the cousin's wife (D.O.) confirming this was presented to the Commission. It was explained that 950 EUR constituted a payment to the subject's daughter for travel expenses and her assistance with parcel transfers sent by D.O. to her mother-in-law and vice versa.

*Commission's findings*

31. The Commission notes that only the second non-declaration (as concerns the transfer of 950 EUR in 2020 to the subject's daughter) falls within the 5-year term provided by Article 11 para. (2) lit. a) of Law No. 252/2023. The Commission considered it from an ethical perspective.

32. In relation to this non-declaration, according to Article 4 para. (1) lit. a) of Law No. 133/2016, the subject was obliged to declare the income obtained by the members of the family. However, the Commission does not find that this formal breach constitutes such a serious ethical breach as to warrant the subject's non-promotion, in accordance with Law No. 252/2023.

## B. Inexplicable wealth for 2013, 2014 and 2020

33. The detailed analysis of the subject's financial situation has established inexplicable wealth for the years 2013, 2014 and 2020. The difference between

income and expenses (negative balance) for these years was -256,302 MDL (2013: -70,203 MDL, 2014: -150,984 MDL, and 2020: -35,795 MDL).

34. The negative balance of -256,302 MDL differs from the one in the initial evaluation report (-305,002 MDL) because the Commission, in the resumed evaluation, considered the SCM's remarks and the new evidence presented by the subject. This led to the acceptance of new revenue streams and the reduction of previously attributed expenses.

**B.1. The loan of 200,000 MDL in 2011 and alleged repayment arrangement**

**B.1.1. Commission's findings (initial evaluation report, § 47, §§ 78-88)**

35. The subject's husband disclosed in his annual declaration to NIC that he received a loan of 200,000 MDL in 2011 from his sister, Z.C. The subject did not disclose it to NIC. In response to the fourth round of questions in his evaluation under Law No. 26/2022, the subject's husband noted that the money was handed in cash. Without a written contract, and on the condition that he "would repay in installments (a little at a time) whenever he could over the course of five years". In the same round of questions, he noted that "since I lacked the financial resources, in 2016 I donated my share of the land planted with a walnut orchard" to settle the debt.

36. In response to her second round of questions of the initial evaluation, the subject reaffirmed that her family never repaid in cash. Her explanation was later amended to add that, in 2012, her husband and his sister verbally agreed that he would be released from repaying the loan in exchange for transferring ownership of two walnut orchard plots, a transfer completed in 2016. In support of this explanation, she submitted copies of the wills designating the husband as sole heir to his parents' lands.

37. Although the initial evaluation report deemed this arrangement implausible, the Commission also considered an alternative calculation that accepted the arrangement and excluded the reimbursement from the 2012 outgoing financial flow (see § 42 below).

38. The Commission further noted that Article 665 para. (1) of the Civil Code, in force at the time, permitted the extinguishment of an obligation through its replacement with another obligation, while para. (2) required the parties' intention to substitute one obligation for another to be expressly stipulated. No evidence was presented demonstrating that such intention had been expressly stipulated.

**B.1.2. SCM's findings (Decision of 20 January 2026, § 3.7.8.)**

39. The SCM concurred with the Commission's legal reasoning concerning the alleged extinguishment of the repayment obligation. It concluded, however, that the analysis of the Civil Code's provisions is debatable. The provisions of Article 665 para. (2) did not refer to proof of the agreement, but only to the manner in which the parties' intent was to be expressed.

40. The subject's arguments could not be regarded as manifestly unfounded, and the Commission must reassess the financial integrity criterion, including the implications for the subject's financial calculations. Specifically, SCM referred to the context in which the alleged cash savings of 94,000 MDL at the end of 2012 were not accepted, with consequential effects on the assessment of cash savings in subsequent years.

**B.1.3. Commission's assessment in the resumed evaluation**

41. In the subject's answers from the first round of questions in the re-evaluation (Question I, a), the subject repeated her position that being released from a debt is different from repaying it. She argued that the Commission improperly assessed an informal, verbal arrangement by applying formal Civil Code requirements intended for civil legal acts. In her view, the requirement that the parties' intention to replace one obligation with another be "expressly stipulated" means that their will must be clear and unequivocal, not necessarily recorded in a written form.

42. Considering the SCM's and subject's stances, the Commission reiterates what it noted in its initial evaluation report (§ 89), that even if the 200,000 MDL loan from the sister-in-law was not repaid in 2012, the balance for that year would still be negative (-43,475 MDL). Consequently, even in this scenario the subject's household had no possibility to accumulate the alleged cash savings of 94,000 MDL.

**B.2. The income from the sale of a Volkswagen Golf Plus, m/y 2005**

**B.2.1. Commission's findings (initial evaluation report, §§ 137-144)**

43. As noted above (§§ 24-26), the Commission examined in the initial evaluation report the circumstances surrounding the sale of the Volkswagen Golf Plus, m/y 2005, purportedly sold by the subject's son in 2017.

44. The subject's son acquired a Volkswagen Golf Plus, m/y 2005, in 2013 using household funds. The subject later claimed that the vehicle was sold by her in September 2017 for 4,500 EUR under a power of attorney and argued that the Commission had failed to include this amount as household income. She

explained that she had not declared the sale because she was not the vehicle's owner and considered that her son was no longer a family member for declaration purposes.

45. The Commission noted that ownership of the vehicle was transferred only on 2 July 2018 and that the subject had not declared any income from the sale in her 2017 or 2018 annual declarations. Further, the commission found inconsistencies in her statements regarding her knowledge of the sale price and receipt of the proceeds. In the absence of sufficient corroborating evidence, it did not accept that the household received 4,500 EUR in 2017 and therefore excluded this amount from the incoming financial flows for that year.

**B.2.2. SCM's findings (Decision of 20 January 2026, § 3.7.9.)**

46. The subject submitted to the SCM a contravention report, drawn up on 28 January 2018, which indicated that a third party, S.M., was driving the vehicle and was recorded as the owner or possessor on that date.

47. The SCM noted that, while the legal act of sale-purchase was completed on 20 June 2018, the contravention report from January 2018 constitutes, on the balance of probabilities, initial evidence capable of raising serious doubts as to whether the vehicle may have been effectively transferred (*de facto* possession/use) earlier than the date of the documented sale (*de jure*). This potential dissociation between the moment of actual transfer of possession and the moment of formal transfer of ownership is relevant to the proper assessment of when any sale income was realized and whether it should be reflected as an incoming financial flow for 2017 or 2018.

**B.2.3. Commission's assessment in the resumed evaluation**

48. In the first round of questions in the initial evaluation (Question 25, e, g), the subject was asked to confirm the vehicle's sale price and explain why the income from its sale had not been reported in her 2018 annual declaration.

49. The subject explained that the vehicle had been transferred years earlier, but she could not provide documents on the transfer, price, or buyer due to the passage of time and the record retention limits at the competent authorities.

50. In the first round of questions in the re-evaluation (Question II, b), the subject stated that she did not declare the income from the sale because she was not the registered owner. The vehicle was registered in his son's name, who, in 2014-2015, was a trainee attorney and, from 2016, an attorney. As an

independent adult, he no longer qualified as a family member for declaration purposes under Law No. 1264/2002.

51. In the second round of questions of the initial evaluation (Question 9), the subject indicated an additional income source of her son for 2017: *"income from sale of vehicles – 100,000 MDL"*. Based on this information and the 50,000 MDL sale-purchase contract of 18 August 2017 for a Toyota Corolla, m/y 2014, the Commission reasonably inferred that the remaining 50,000 MDL corresponded to the sale of the Volkswagen Golf Plus, m/y 2005.

52. In her explanations submitted before the hearing in the initial evaluation, the subject referred to an alleged amount of 4,500 EUR (93,690 MDL) obtained from the sale of the Volkswagen Golf Plus, m/y 2005. This claim was supported by a written statement of the buyer, V.R.

53. During the hearing the subject mentioned that the Volkswagen Golf Plus, m/y 2005, was the family's vehicle and that her son sold it in 2017 based on a power of attorney. As she did not know the sale price, she initially estimated a value of 50,000 MDL based on a comparison with the Toyota Corolla, m/y 2014. Shortly before the hearing, with the assistance of her son's friends, she identified the buyer.

54. In the re-evaluation, the subject was asked to provide a copy of the contravention report. It also requested clarifications on why the alleged income was not declared in 2017 annual declaration and was not previously identified in the previous evaluation. The subject was also asked for a detailed chronology of the legal and factual transfer of the vehicle (Question 41, b, e).

55. In the first round of questions (Question II, d), the subject mentioned that the Volkswagen Golf Plus was the family's vehicle but was formally registered in her son's name. It was purchased in 2013 with the household's funds, when her son was still a student. She stated that her son used the vehicle until 2015, when he purchased his own Toyota Corolla, m/y 2014. After that, the Volkswagen Golf Plus was used exclusively by the subject and her husband. Regarding the non-declaration of the income in 2017, the subject provided the same arguments mentioned at § 50.

56. The subject clarified that she did know the sale price in 2017, but in 2025, could no longer recall the exact amount due to the passage of time and because the events were connected to her deceased son. She stated that her son managed the vehicle's sale on behalf of the household. He subsequently granted her a power of attorney to assist the buyer at the formal registration.

57. According to the subject, the buyer delayed the formal registration to avoid additional expenses related to technical inspection and the insurance, which were still valid. When the buyer later decided to formalize the transfer, the subject provided a power of attorney in the buyer's name through her daughter. A copy of the power of attorney was provided to the Commission.

58. The subject specified (Question II, d) that her son used funds from the sale of his vehicle, a Toyota Corolla, m/y 2014 (August 2017), to relocate to the United States. The proceeds from the sale of the Volkswagen Golf Plus, m/y 2005, were used by the household to purchase a Toyota RAV4, m/y 2008 in November 2017.

59. After the Commission's inquiry to www.999.md, it was not confirmed that the vehicle was put for sale in 2017 from the subject's son's account. However, this does not exclude the possibility that the vehicle may have been advertised in another manner (on other social media platforms, through friends, acquaintances, etc.) by the subject's son.

60. Moreover, the subject's attorney also inquired on www.999.md and requested information regarding all announcements posted on the platform during 2013-2018 by the subject's son or by other individuals using his account. In the answer, it was noted that certain requested data is no longer available because the period in question exceeds the system's retention period.

61. Considering the subject's shifting explanations, it is highly likely that she did not participate in the transaction and was unaware of the details of the vehicle sale, especially given that more than eight years have passed since the transaction.

62. During the reevaluation hearing, the vehicle buyer (V.R.) stated that she found the sale announcement on www.999.md. She negotiated the price with the subject's son exclusively and paid him 4,500 EUR in cash at the beginning of September 2017. The ownership was not registered immediately because her husband was abroad and she did not know the exact procedure. She also mentioned that she was a novice driver and did not use the vehicle very often. In addition, she explained that she wished to avoid additional expenses, considering that both the technical inspection and the insurance were still valid. V.R. also mentioned that she sold the vehicle in 2018 for 4,100 EUR.

63. The Commission noted that no contemporaneous sale-purchase agreement was submitted to prove the sale of the Volkswagen Golf Plus, m/y 2005, in September 2017. Nevertheless, several elements corroborated the subject's

account. A power of attorney dated 13 September 2017 and a contravention report from 28 January 2018 indicated that the vehicle was already being used by a third party before the formal transfer of ownership on 2 July 2018

64. Documents relating to the vehicle's technical inspection and mandatory domestic liability insurance policy showed that the insurance remained valid until 31 July 2018, which corroborates with the buyer's wish to avoid additional expenses.

65. The buyer's explanations that her husband was using the vehicle when he was sanctioned for installing non-compliant xenon lights were also relevant. The Commission considered that such modifications would ordinarily be carried out by an owner rather than a mere user, thus lending credibility to the claim that possession of the vehicle had already been transferred in 2017.

66. The Commission further noted that the subject's son had sold his Toyota Corolla, m/y 2014, in August 2017, which addressed a concern identified in the initial evaluation report regarding the source of funds for his relocation to the United States. This made it plausible that he had sufficient resources to cover those expenses independently.

67. Finally, the household's purchase of a replacement vehicle (Toyota RAV4, m/y 2008) shortly after the alleged sale was consistent with the proceeds having been reinvested. Having reassessed the matter considering the SCM's decision, the additional evidence submitted by the subject, and the buyer's explanations, the Commission deemed plausible that the vehicle was sold in 2017 for 4,500 EUR and that the proceeds were for the subject's household.

**B.3. The alleged cash savings available at the end of 2016 and 2017**

**B.3.1. Commission's findings (initial evaluation report, §§ 97-108)**

68. Law No. 133/2016 on the declaration of assets and personal interests required subjects of declaration to indicate cash savings held as of the date of submission of the declaration and only where such savings exceed 15 average monthly salaries per economy.

69. In the first round of questions of the initial evaluation (Question 2, a), the subject declared the available cash savings included in the second column of the table below. The Commission compared them against the declaration's threshold and submission date.

| Year | Cash savings at end of year declared to the Commission | Threshold under Law No. 133/2016 | NIA declaration submission date |
|---|---|---|---|
| **2016** | 98,000 MDL (at the time of declaration, no more than 79,000 MDL) | 75,750 MDL | 22 February 2017 |
| **2017** | 94,000 MDL (at the time of declaration, no more than 89,000 MDL) | 84,000 MDL | 20 March 2018 |

70. The cash savings reported for the end of 2016 and 2017 were not accepted on the grounds that they exceeded the applicable legal reporting threshold and were not disclosed in the subject's annual declarations.

**B.3.2. SCM's findings (Decision of 20 January 2026, § 3.7.10.)**

71. The SCM mentioned that a distinct time interval existed between:

(i) the end of each reference year, for which the subject declared the existence of cash savings; and (ii) the date on which the declaration of assets and personal interests was submitted in the subsequent year. During this interval, it cannot be excluded that these cash resources were used or partially reduced prior to the declaration date, such that they no longer exceeded the legal reporting threshold when the declaration was submitted.

72. According to SCM, this hypothesis is supported by the proximity between the amounts asserted at year-end and the relevant thresholds, namely 98,000 MDL compared with 75,750 MDL for 2016, and 94,000 MDL compared with 84,000 MDL for 2017.

**B.3.3. Commission's assessment in the resumed evaluation**

73. In the resumed evaluation, the Commission reassessed the plausibility of the subject's accumulation of the alleged cash savings at the end 2016 and 2017.

74. In the first round of questions in the reevaluation, the Commission asked the subject to indicate the cash savings held at the end of 2016 and 2017, explain the sources of those savings, and indicate how the alleged amounts had been spent before the relevant submission dates of the NIA declarations.

75. In her response (Question III, a), the subject maintained the previously indicated amounts and stated that the funds were spent inclusively on house construction. She did not submit receipts or other documents confirming this.

76. The Commission reconsidered its assessment of the subject's cash savings, noting that in the initial evaluation report the relevant threshold had been

assessed by reference to the end of the reporting year rather than the date of submission of the declaration.

| Year | Cash savings at end of year declared to the Commission | Threshold under Law No. 133/2016 at the time of declaration | NIA declaration submission date |
|---|---|---|---|
| **2016** | 98,000 MDL (at the time of declaration, no more than 79,000 MDL) | 79,500 MDL[1] | 22 February 2017 |
| **2017** | 94,000 MDL (at the time of declaration, no more than 89,000 MDL) | 92,250 MDL[2] | 20 March 2018 |

77. In order to reassess this matter as required by the SCM, the Commission examined not only whether the subject had been required to declare the alleged cash savings in the NIA declarations, but also whether the household could in fact have accumulated such cash savings at the end of 2016 and 2017.

78. For this purpose, the Commission examined the household's cash liquidity over the evaluation period preceding the years (2013–2017). It distinguished between cash income and cash expenses, and traceable non-cash transactions such as card payments and bank transfers. The Commission separated identifiable cash from non-cash income and compared it with identifiable or reasonably attributable cash expenses.

79. The cash income had two main sources: (1) cash withdrawals from bank accounts, which received salary transfers, and (2) transactions in cash. The cash expenses considered were those previously declared by the subject or otherwise identified during the evaluation.

80. As the subject's household, including her son up until 2017, owned and used six vehicles during the evaluation period, and the related fuel expenses were not fully reflected in the bank records, the Commission considered that a portion of those expenses was likely paid in cash and calculated them accordingly. To assess the household's actual cash liquidity more accurately, the Commission therefore carried out a more specific calculation of transportation-related cash expenses, as is detailed in the hearing notice (§§ 57-130). To avoid double counting with the CEP, the cash-flow calculation included only the portion of expenses that exceeded the transport component already reflected in the CEP.

[1] https://www.legis.md/cautare/getResults?doc_id=96111&lang=ro
[2] https://www.legis.md/cautare/getResults?doc_id=102006&lang=ro

81. In the re-evaluation, the second round (Question I, d) and in the explanations submitted before the hearing the subject mentioned that the fuel expenses for Volkswagen Golf Plus, m/y 2005, were incurred primarily by her son who used the vehicle until 2015. Also, the subject mentioned, that starting with 2015, when her son purchased his own vehicle, Toyota Corolla, m/y 2014, the Volkswagen Golf Plus was mostly used by her and her husband, implying that it was used by her son as well.

82. According to the subject, the Volkswagen Golf Plus, m/y 2005, was not always used by the family or at the family's expense and so the expenses calculated for fuel expenses should be excluded from her household expenses. She provided written statements from three individuals presented to be her son's friends. The Commission also heard them.

83. These persons explained with details that, between 2013-2017, the vehicles[3] of the subject's household were sometimes used by them for short or long trips within the country. One individual had a driving license since 2010, the other two did not, and the subject's son drove them. In all cases the fuel expenses were covered by the friends of the subject's son. When they traveled as a group for vacations within the country and abroad (Ukraine, Romania)[4] the subject's son drove them. In these cases, the tacitly agreed rule was also that the fuel expenses were covered by the friends.

84. After the hearing, the Commission received pictures that showed the friendship relations and the vacation trips. Some of the pictures show vehicles in the background that appear to be Volkswagen models.

85. The evidence shows that the household's vehicles were used by multiple individuals which makes the explanations plausible that the fuel expenses were often incurred by third parties. In these circumstances, the Commission does not have a reliable determination of the extent to which the estimated fuel expenses should be attributed to the subject and considers it plausible that the expenses identified in excess of the CEP category for transport may indeed have been covered by the subject's son's friends for their travels.

86. The attribution of fuel expenses is reasonable for 2016 and 2017, when the subject's son purchased his own vehicle, Toyota Corolla, m/y 2014, at the end of 2015. The total amount of estimated fuel expenses in these years, that

[3] Volkswagen Golf, m/y 2000; Volkswagen Polo, m/y 2004; Volkswagen Golf Plus, m/y 2015; Toyota Corolla, m/y 2014; Mitsubishi Lancer, m/y 2010.

[4] Ungheni, Orhei, Anenii Noi, Mereni, Vadul lui Vodă, Strășeni, Căușeni, Hâncești, Zatoka, Koblevo, Iliciovsk (now - Ciornomorsk), Brașov, Craiova etc.

exceeded the relevant category from CEP (17,140 MDL in 2016 and 13,231 MDL in 2017) are absorbed by the positive wealth balance identified by the Commission for these years.

**Calculations of the cash flows of the subject's household**

87. The Commission also conducted an analysis of the bank accounts of the family members assessing ATM withdrawals and retail expenses. The calculation shows the actual amounts that the household members withdrew in cash and thus makes up a substantive part of the cash income variable.

88. The following table contains information on the bank accounts that were active between 2013-2017. Neither child had bank accounts during this period.

| | | | Subject | | Husband | | | |
|---|---|---|---|---|---|---|---|---|
| **Year** | **Type** | **Total MDL** | **Eximbank ***725 MDL** | **Eximbank ***238 MDL** | **MICB ***061** | **MAIB ***753** | **MICB ***762** | **BEM ***272 ***672** |
| **2013** | ATM | 157,299 | 65,859 | 12,920 | - | - | - | 78,520 |
| | Retail | 7,692 | 7,692 | - | - | - | - | - |
| **2014** | ATM | 239,377 | | 117,290 | - | - | - | 122,087 |
| | Retail | 1,088 | | 1,088 | - | - | - | - |
| **2015** | ATM | 283,284 | | 131,504 | - | - | 27,900 | 123,880 |
| | Retail | 9,850 | | 9,850 | - | - | - | - |
| **2016** | ATM | 253,487 | | 145,087 | - | - | 108,400 | - |
| | Retail | 11,940 | | 11,940 | - | - | - | - |
| **2017** | ATM | 294,778 | | 145,368 | - | 149,010 | 400 | - |
| | Retail | 46,407 | | 43,993 | - | 13 | 2,401 | - |

89. The Commission set out a yearly representation of all cash income and potential cash expenditures of the household between 2013-2017, that can be consulted in the Annex to the report and in more detail in the hearing notice (§§ 131-168).

90. It results from that assessment – summarized in the table that follows – that the subject's household had insufficient cash availability to accumulate the 98,000 MDL at the end of 2016 and 94,000 MDL at the end of 2017.

| Year | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|---|---|---|---|---|
| **Identified cash income** | 240,499 MDL | 239,377 MDL | 383,284 MDL | 353,487 MDL | 414,900 MDL |

| | | | | | |
|---|---|---|---|---|---|
| **Identified cash expenses** | 256,126 MDL | 368,692 MDL | 337,423 MDL | 321,769 MDL | 503,157 MDL |
| **Balance** | -15,627 MDL | -129,315 MDL | +45,861 MDL | +31,718 MDL | -88,257 MDL |
| **Cumulative cash balance** | **-155,620 MDL** | | | | |

91. In the second round of questions of the re-evaluation, the subject objected to several grounds of the Commission regarding the cash flow calculations.

92. Firstly, the subject objected that, contrary to the method used in the initial evaluation, in the re-evaluation procedure, the methodology was changed by separating cash income and cash expenses from card/bank transactions.

93. The Commission clarifies that considering the SCM's observation that the existence of cash savings at the end of the relevant years cannot be entirely ruled out (§ 3.7.10. SCM's decision), there was no other optimal way to verify this hypothesis based on the available evidence than by comparing the cash income available to the household with its cash expenditures.

94. Secondly, the subject contested the accuracy of the figures presented regarding the availability of cash. The subject argued that the available income credited to the bank cards was withdrawn in cash in a proportion of approximately 90%.

95. For 2013, she argued that the household's bank income was 176,209 MDL, while the Commission found 157,299 MDL available in cash. According to her, this means 18,910 MDL must have been spent by card, not only 7,692 MDL as indicated by the Commission (§ 88). She therefore recalculated the available cash and suggested that part of the account operations was left unexplained.

96. For 2014, she stated that the accounts held 256,148 MDL, and if only 1,088 MDL were card expenses, then the Commission did not explain where the remaining 16,771 MDL went when it concluded that only 239,377 MDL remained available in cash.

97. For 2017, she argued that the Commission reduced her husband's cash income incorrectly. She stated that he had verified income of 309,179 MDL from pension and allowance, but the Commission considered only 149,010 MDL as withdrawn in cash.

98. According to the subject, her husband never paid by card and always withdrew funds, so the Commission improperly reduced cash withdrawal by 160,169 MDL. The amount of cash available for 2017 has been adjusted by the Commission (§ 90).

99. The Commission clarifies that the subject's calculation omits several relevant factors that undermine her conclusion.

   a. Firstly, as established throughout the evaluation procedure, confirmed in the SCM ruling, and further addressed during the re-evaluation, the subject had available funds of 16,917 MDL in a bank account at the end of 2013, 17,569 MDL at the end of 2014 and 10,092 MDL at the end of 2017. This amount could not simultaneously be treated as available end-of-the-year savings and as funds used for retail expenses during the same year.

   b. Secondly, bank account turnover is not composed exclusively of ATM withdrawals and retail payments. It also includes, depending on the year, P2P transactions, bank fees, and other transaction-related charges, which affect the actual available amount for retail spendings.

   c. The figures reflected in the financial calculations are necessarily subject to a reasonable degree of approximation, given the structure of bank account turnover and the inclusion of ATM withdrawals, retail payments, P2P transfers, bank fees, and other transaction-related charges. This does not, however, affect the soundness of the Commission's assessment.

100. Considering the analysis above, the Commission concludes that the subject's household could not have accumulated and retained the claimed cash savings of 98,000 MDL and 94,000 MDL at the end of 2016 and 2017. Moreover, had the Commission found, for instance, that the subject indeed had the claimed amounts at the end of 2016 and 2017, this would have resulted in an additional negative financial balance for 2016 (-21,929 MDL).

**B.4. Transfers received by the subject's son**

101. In the written explanations submitted before the hearing and during the hearing, the subject mentioned a list of several transfers in her and her children's name which according to her were not considered.

102. Each of these transfers is addressed in the below table.

| Year | Subject | Subject's son | Subject's daughter | Commission's decision |
|---|---|---|---|---|
| **2013** | - | 47,000 RUB; 204 EUR | - | Not included |
| **2014** | - | 3,000 RUB; 350 EUR | - | Not included |
| **2016** | - | 100 EUR | 30 EUR | Included |
| **2018** | 9,007 MDL; 3,259 MDL | - | - | Included |
| **2019** | 11,317 MDL | - | - | Included |
| **2020** | - | - | 950 EUR | Included |

103. In the second round of questions of the re-evaluation (Question I, b, c) and during the hearing, the subject requested the inclusion of 29,396 MDL as income allegedly received by her son in 2013 (transfers of 47,000 RUB and 204 EUR). For 2014 she requested inclusion of 7,660 MDL (3,000 RUB, 350 EUR) and 6,000 MDL from the alleged sale of motorcycle gear. Also, she requested the inclusion of 100 EUR transferred to her son in 2016.

104. The subject stated that she had identified these transfers while reviewing her husband's evaluation file and suggested that they most likely represented remuneration for work performed by her son in the Russian Federation, in the summer of 2013. However, she was unable to provide further details regarding the origin or their connection to the alleged work.

105. In the first round of questions of the initial evaluation (Question 27, d) and of the re-evaluation (Question II, b), the subject mentioned that since 2014 her son had no longer qualified as a family member within the meaning of the law for the purposes of the annual declaration, as commencing with 2014 he was a trainee attorney and from 2016 an attorney. These statements are in contradiction with what the subject declared initially in the first round of initial evaluation (Question 16). When asked to indicate details about her household for the evaluation period and its supporting members (the people who contributed financially), she indicated her son as a household's member from 2013 until august 2017.

106. The Commission notes that, throughout the evaluation, the subject generally sought to exclude expenses attributable to her son from the household's financial analysis. These include, in particular, the purchase in 2015 of a

nearly new Toyota Corolla, m/y 2014, (8,000 km on the odometer, according to the technical inspection), and a Mitsubishi Lancer, m/y 2010, in 2018.

107. The Commission considered the subject's position inconsistent as she later sought to include alleged income received by her son when such inclusion would improve the household's financial balance. If the son's income is treated as available to the household, then, as a matter of consistency, the corresponding expenses should also be included.

108. The subject's son did not have taxable income in the Republic of Moldova during the relevant period, except for 7,982 MDL in 2015 and 2,332 MDL in 2016. While not excluding the possibility that he earned income abroad in certain years, the Commission relied primarily on the income declared to the tax and integrity authorities, when assessing an individual's income.

109. According to the income tax declaration for individuals engaged in professional activities in the justice sector in 2017, the subject's son, registered losses of -12,313 MDL. No other income data was identified.

110. According to the subject, her son was not a family member within the meaning of the law for the purpose of the annual declaration. This naturally implies that the son did not contribute financially to the household.

111. The Commission included the subject's son in the CEP's calculations between 2013 and 2016 because it cannot ignore the fact that the subject's household incurred certain expenses for him. This is inevitable when a person is a *de facto* resident. This was confirmed by the subject in the first round of the initial evaluation (Question 16), by mentioning that her son lived with them and was not contributing financially to her household.

112. The Commission cannot consider the 2013 and 2014 transfers related to the subject's son as an income for the household as, most likely, the funds were used by her son in order to purchase in 2015, his own vehicle Toyota Corolla, m/y 2014.

113. Moreover, the declared purchase price of the Toyota Corolla, m/y 2014 - 130,000 MDL, seems undervalued. According to information from the Customs Service, on 19 August 2014, the Toyota Corolla, m/y 2014, which later belonged to the son, was valued at 180,159 MDL, with an additional 13,420 MDL paid in import-related taxes. The vehicle was imported by "CONTINENT" LLC, the official Toyota dealer in the Republic of Moldova.

114. According to the official Toyota retailer's information, the Manufacturer's Suggested Retail Price for a Toyota Corolla, m/y 2014, 1,329 cc, ranged from

12,530 EUR to 14,600 EUR in 2014.[5] This further indicates that the declared purchase price of 130,000 MDL (approximately 5,888 EUR, at the average rate of 22,08 MDL for September 2015, when the vehicle was purchased per the subject's explanations) may have been underestimated.

115. Accordingly, the Commission does not consider it appropriate to include the income (transfers) received by the subject's son as household income while excluding the expenses attributable to him.

116. If the Commission would have accepted these transfers in 2013 and 2014 and included for 2015 the purchase for 130,000 MDL of the Toyota Corolla, the total negative balance of the subject would have raised to -281,480 MDL.

117. In addition, treating the purchase of the Toyota Corolla, m/y 2014, in 2015 as a household cash expense, would not support the subject's position regarding the existence of sufficient cash savings, since that expense substantially exceeds the transfers invoked. In any event such a recalculation will result in a negative wealth balance for that year.

118. The Commission notes that in the subject's case the issue related to the expenses of the son is different from the cases of other evaluated subjects, (*Cojocaru*, Re-evaluation report of 21 October 2025, §§ 69-102, and another unpublished report[6] of 16 December 2025, §§ 108-113) where the expenses of the children were attributed to the household, for the following reasons:

    a. In Cojocaru case, the subject acted as surety (*fidejusor*) in a leasing contract for one of her son's vehicles. Thus, she undertook the obligation to be jointly liable for her son's payment obligations. At that time her son had a precarious financial situation, with no sustainable or documented income. This could indicate a possible financial contribution from the subject. The fact that the son in the following years (2022, 2023) travelled abroad for short-term unqualified work reinforced the conclusion that he lacked financial independence to enter such financial commitments. Moreover, the subject acknowledged before the Commission that she helped her son with a CASCO insurance payment in 2021.

    b. In the second mentioned case, the Commission re-examined the issue related to a vehicle purchased in 2017 by the subject's daughter for

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[5] https://web.archive.org/web/20141229143240/http:/toyota.md/cars/novaia-corolla/

[6] At the time of the approval of the present report, the cited Commission report and the corresponding decision of the Superior Council of Magistracy are not public, pursuant to Article 17 para. (8) of Law No. 252/2023. Accordingly, the case cannot be identified more specifically.

400,000 MDL. The subject confirmed in her declarations submitted to the NIA and SFS, as well as before the Commission, that in 2017 she and her husband were contributing members, while their daughter was a non-contributing member with no personal income and financially dependent on her parents. Given that the daughter had no personal income, and was financially dependent on her parents, the Commission presumed that the vehicle was purchased from the household resources. Thus, the expenses were attributed to the subject's household.

119. According to the SCM's decision No. 238/21 of 22 May 2025[7], the cohabitation and financial dependence require 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.

120. In the present case, it seems that her son did not seek financial assistance from his parents or a guarantor for his financial obligations, nor did he use other financial instruments such as leasing. Instead, he purchased the vehicle Toyota Corolla in 2015 by becoming its sole owner. In the third round of the evaluation procedure of the subject's husband (Question 13, c), he mentioned that between May 2015 and September 2015, their son went to work in Germany specifically to accumulate funds in order to buy a vehicle.

121. Also, bank records showed that he received several monetary transfers in 2013 and 2014, which were most likely used to finance the purchase of the vehicle. In addition, no payments for the insurance, technical inspection or other expenses related to the son's vehicle, incurred by the household, were found. At the same time, in 2015 he registered an official income as an attorney. These facts reinforce the conclusion that her son was, to a certain extent, financially independent and was responsible for his major expenses.

122. Subsequently, the Commission did not accept the alleged 6,000 MDL income from the sale of motorcycle gear, as this was mentioned only during the resumed evaluation after a negative financial balance had been identified and was unsupported by evidence. The photographs submitted do not substantiate the alleged sale or the receipt of the funds by the subject's household.

123. Moreover, in the second round of questions of the re-evaluation (Question I, c), the subject mentioned that her son was saving money to buy a motorcycle.

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[7] https://www.csm.md/files/Hotaririle/2025/21/238-21.pdf

With the donations received from the relatives in 2011-2012, he purchased the motorcycle in May 2012, along with the related gear. The Commission notes that it did not attribute the mentioned expenses incurred by the subject's son. The consideration of these expenses would definitely increase the negative balance for the current year and would reduce the household's available cash resources.

124. The funds of 100 EUR transferred to her son in 2016 were included by the Commission in the incoming financial flow for that year. The Commission mentions that this income was considered due to the fact that the son was included in the CEP's calculation, and the lack of any major expenses incurred by him in this year.

**B.5. Finishing works and furnishing expenses for the apartment**

125. The subject stated, in the second round of questions of the initial evaluation (Question 4, a), that the household incurred the following expenses for finishing works and furnishing of a 92.4 sq.m. apartment located on Braniștii Street, in Chișinău: 2013 – 1,000 MDL; 2014 – 20,000 MDL; 2015 – 3,000 MDL; 2016 – 15,000 MDL and in 2017: 10,000 MDL. She stressed that these amounts were with great approximation. Due to passage of time and their moving out from that apartment, she does not have any records to help her memory.

126. While these amounts were included in the financial analysis, the Commission notes that they appear difficult to reconcile with the size and condition of the property. The apartment was delivered in a white-wall ("*varianta albă*") condition, requiring substantial finishing works before it could be occupied. The total amount declared for the entire period 2013–2017, namely 49,000 MDL, does not appear to reflect the ordinary costs typically associated with finishing, equipping, and furnishing a 92.4 sq.m. apartment intended for occupation by a four-member household.

127. In the second round of the initial evaluation (Question 4, a) the subject explained that the works carried out in the apartment included painting the walls, laying flooring, installing interior doors, and purchasing a bed and kitchen furniture. She stated that most other furniture and appliances had been transferred from the household's previous residence. According to the subject, the finishing and furnishing work did not generate significant expenses because much of the work was performed by her husband, son, and her husband's nephew. She further explained that in 2017 the family purchased four interior doors, which were installed by her husband and two nephews.

128. In the same round (Question 4, a) the subject mentioned that they moved into the apartment in November of 2013 – in the white-wall condition. The finishing and furnishing works were carried out along the way.

129. Based on the photographs presented by the subject, it is difficult to conceive how a family could have lived in a white-wall apartment with presumably no installed flooring, incomplete bathroom fittings, and apparently no interior doors. On the other hand, even assuming that some of these works had been completed by that time, the declared expenses of only 1,000 MDL for 2013 are not plausible.

130. The Commission accepts that the household may have avoided significant labor costs by performing much of the work themselves. Nevertheless, even excluding labor expenses, the declared amounts appear insufficient to cover the materials required to complete the finishing works in an apartment delivered in a white-wall condition.

131. The Commission further notes that, according to the subject's own explanations, the household purchased new kitchen furniture, a bed, and four interior doors. These items alone could reasonably exceed the declared annual estimates. Furthermore, relocating into an unfinished apartment, would have necessitated essential expenditures for the wall painting, plumbing for two bathrooms, light fixtures, floor appliances.

132. In the fourth round of questions in the pre-vetting procedure (Question 2, c, d), the subject implied that the family was accustomed to living in austere conditions. She mentioned that between 2011 and 2013, her family lived in a dorm room in Chișinău. This was confirmed in the initial evaluation of the vetting procedure (Question 16, b). They shared a kitchen with other residents on the floor, and the bathroom with a neighboring apartment. They did not pay rent because the apartment belonged to a distant relative who had moved abroad and who had made the apartment available to the subject for free use for an unlimited period. In relation to the apartment where they moved in 2013, the subject mentioned that the family lived without doors until 2017, and this did not represent a problem.

133. The Commission notes that in 2012, the subjects husband concluded an investment contract regarding this apartment. The final price paid for it was 39,732 EUR (636,068 MDL). In June 2018, the apartment was evaluated for insurance purposes. The evaluation report of the apartment set the market value at 775,000 MDL and the replacement value at 850,000 MDL. Thus by 2018, the value of the apartment has increased by at least 138,932 MDL.

134. While part of this increase may be attributable to general market developments, the Commission considers it likely that the finishing and furnishing work carried out by the household also contributed to the apartment's increased value. The evaluation report of the apartment contains photographs showing the apartment in a completed and furnished condition. Against this background, the declared expenditure of 49,000 MDL for all finishing and furnishing works undertaken between 2013 and 2017 appears difficult to reconcile with both the size of the apartment and its condition as reflected in the 2018 valuation report.

135. During previous evaluations of other subjects, the Commission sought objective data regarding the average cost per square meter of finishing works and materials required to render a white-wall apartment habitable. However, no such information was obtained.

136. For this purpose, the Commission addressed at that time requests to the National Bureau of Statistics, the Ministry of Infrastructure and Regional Development, and the National Inspectorate for Technical Supervision. None of these institutions was able to provide statistical or market data concerning the average costs.

137. In the absence of official statistical data, the Commission also sought market-based information from two companies active during the relevant period that provided finishing and renovation services, as well as from four construction companies that build and market both unfinished and finished apartments, in order to assess the costs and value attributable to finishing works.

138. Only two response letters were received, one after the 10-day deadline. These letters were from construction companies. One informed that request is almost seeking an economic conclusion, which they cannot provide. The other one noted that they started to provide finished apartments (*la cheie*) from 2016. In that year, the difference between a white wall apartment and a finished one was approximately 150 EUR per sq.m. In other words, in 2016 in Chișinău, to bring a white wall apartment to a livable dwelling required an investment of around 150 EUR per sq.m.

139. In conclusion, the Commission mentions that although it cannot establish the exact amounts of the expenses related to the apartment’s finishing and furnishing costs, the analysis above suggests that the real expenses incurred by the subject were likely much higher than the figures disclosed.

140. The Commission’s concern that the declared figures are likely to understate the household’s actual expenditures is reinforced by the fact that the

household was already identified as having negative wealth balances in the previous evaluations, meaning that any underreporting of finishing works and furnishing expenses would further reduce the household's available cash resources.

**B.6. Per year analysis of inexplicable wealth**

**B.6.1. Inexplicable wealth for 2013**

*Incoming financial flows*

141. According to information from the SFS, the subject received a salary income of 80,145 MDL as a judge at Orhei Court, while her husband received a salary income of 76,182 MDL as a judge at Criuleni Court.

142. In addition, the subject declared 83,200 MDL as income derived from the sale of the Volkswagen Polo, m/y 2004.

143. Information received from the banks showed that, at the end of 2012 and the beginning of 2013, the household had 19,882 MDL as bank savings.

144. The subject also invoked the father-in-law's pension of 17,000 MDL which was allegedly received by the husband. For the reasons described in the initial evaluation report (§§ 163-165) and the SCM's decision (§ 3.7.3), the alleged source was not considered as income of the household.

145. Thus, in 2013, the incoming financial flow of the subject's household was 259,409 MDL.

*Outgoing financial flows*

146. According to the Commission's calculations based on the NBS methodology, the CEP for 2013 in a household of two adults and two children constituted 98,112 MDL (2,044 x 12 months x 4 persons).

147. The household paid a remaining installment of 64,706 MDL for the apartment located in Chișinău.

148. The Commission also included the declared 1,000 MDL for finishing works and furnishing of the apartment.

149. The household paid 100,000 MDL for the purchase of Volkswagen Golf Plus, m/y 2005.

150. The loan repayments made in 2013 in relation to the 270,000 MDL loan contracted in 2012 with "MAIB" JSC totaled 48,877 MDL. As noted in the initial evaluation report (§ 67), this loan was for the acquisition of a plot of

land (0.0799 ha) and an unfinished building (133.7 sq.m.), located in Criuleni District.

151. The bank information showed that at the end of 2013 the household had 16,917 MDL as bank savings.

152. Thus, in 2013, the outgoing financial flow of the subject's household was 329,612 MDL.

153. Accordingly, the subject's household's outgoing financial flow exceeded the incoming financial flow by 70,203 MDL.

*Incoming and outgoing financial flows for 2013*

| **Income MDL** | | **Expenses MDL** | |
|---|---|---|---|
| Subject's salary | +80,145 | CEP | -98,112 |
| Husband's salary | +76,182 | Installments for the apartment | -64,706 |
| Sale of vehicle | +83,200 | Finishing works and furnishing of the apartment | -1,000 |
| Bank savings at beginning of year | +19,882 | Loan repayment to MAIB | -48,877 |
| | | Purchase of vehicle | -100,000 |
| | | Bank savings at end of year | -16,917 |
| **Total** | **+259,409** | **Total** | **-329,612** |
| **Difference** | **-70,203** | | |

**B.6.2. Inexplicable wealth for 2014**

*Incoming financial flows*

154. According to information from the SFS, the subject received a salary income of 119,316 MDL as a judge at Orhei Court. Her husband received a salary income of 119,915 MDL as a judge at Criuleni Court.

155. Information received from the banks showed that, at the end of 2013 and the beginning of 2014, the subject's household had 16,917 MDL as bank savings.

156. The alleged cash savings of 105,000 MDL declared as available at the end of 2013, as well as the alleged donation of 65,000 MDL in 2014, are not included in the initial evaluation report, decision upheld also by the SCM.

157. In the second round of questions during the resumed evaluation, the subject insisted again on receiving the alleged cash income of the household, namely: (1) the sale of beehives inherited by her husband from his father for 15,000 MDL; and (2) financial assistance from the parents in the amount of 65,000 MDL. The Commission notes that the financial assistance from the parents was claimed since the pre-vetting evaluation under Law No. 26/2022. In addition, according to the subject's explanations from her answers to the hearing notification in the re-evaluation procedure under Law No. 26/2022, between 2013 and 2014 her mother-in-law sold the horse, the cart, and the plow after her husband's death. She did not mention the beehives. This supports the subject's explanations, provided in the initial evaluation under Law No. 252/2023, that her household obtained funds from the sale of the beehives inherited by her husband.

158. Although the subject reported that her sister-in-law is in Italy and it seemed plausible that her husband is the only heir in the country who may have inherited the beehives, the Commission did not accept the alleged 15,000 MDL income from the sale of beehives as it was not supported by sufficient and plausible evidence.

159. The subject submitted a written statement from A.S., who claimed that in 2014 he had helped the husband get the beehives into a vehicle and that the beehives were sold to a person from Telenești for 15,000 MDL. However, this statement is not supported by documents corroborating the ownership or other details such as the identity of the buyer. More importantly, no such income was declared to the NIC and SFS, as required by law.

160. The Commission also notes that, if the household possessed beehives capable of generating sale proceeds, their acquisition, maintenance, storage, and use would normally have involved expenses or related economic activity, which the subject did not identify in the household's financial flows since the inheritance from the father-in-law.

161. Also, the Commission did not accept the alleged 65,000 MDL received from the parents as financial help for the reasons detailed in the initial evaluation report (§§ 182-189) and upheld by the SCM.

162. Thus, in 2014, the incoming financial flow of the subject's household was 256,148 MDL.

*Outgoing financial flows*

163. The CEP for 2014 in a household of two adults and two children constituted 101,952 MDL (2,124 x 12 months x 4 persons).

164. The loan repayments made in 2014 in relation to the 270,000 MDL loan contracted in 2012 with "MAIB" JSC totaled 267,611 MDL.

165. For the reasons detailed in the initial evaluation report (§§ 181, 193, 197), the alleged cash savings of 105,000 MDL and of 1,000 MDL were not accepted by the Commission, decision upheld also by the SCM.

166. The Commission included the declared 20,000 MDL for finishing works and furnishing of the apartment located in Chișinău.

167. Information received from the banks showed that, at the end of 2014, the household had 17,569 MDL as bank savings.

168. Thus, in 2014, the outgoing financial flow of the subject's household was 407,132 MDL.

169. Accordingly, the subject's household's outgoing financial flow exceeded the incoming financial flow by 150,984 MDL.

*Incoming and outgoing financial flows for 2014*

| **Income MDL** | | **Expenses MDL** | |
|---|---|---|---|
| Subject's salary | +119,316 | CEP | -101,952 |
| Husband's salary | +119,915 | Finishing works and furnishing of the apartment | -20,000 |
| Bank savings at beginning of year | +16,917 | Loan repayment to MAIB | -267,611 |
| | | Bank savings at end of year | -17,569 |
| **Total** | **+256,148** | **Total** | **-407,132** |
| **Difference** | **-150,984** | | |

**B.6.3. Inexplicable wealth for 2020**

170. The SCM did not raise objections regarding the wealth balance calculations of the subject's household in 2020 in its decision. However, this is included in the report because the Commission reviewed the subject's remarks regarding the refund from an airline company and the amount related to a loan repayment. As a result, the negative financial balance for this year was adjusted accordingly.

*Incoming financial flows*

171. According to information from the SFS, the subject received a salary income of 300,887 MDL as a judge at Orhei Court, 1,701 MDL from the Criminal Reform Institute, and 3,545 MDL from the NIJ. Her husband received a net income of 6,070 MDL from his activity as an attorney and a pension of 239,256 MDL.

172. The Commission included in the incoming financial flow the amount of 950 EUR (18,685 MDL) received by transfer by the subject's daughter.

173. In the second round of questions of the resumed evaluation, the subject mentioned that she was refunded 8,131 MDL (the cost of three plane tickets) by an airline company, because the pandemic began and they canceled the scheduled flight. The Commission analyzed the subject's bank accounts and found that in February 2020 she registered an expense of 7,736 MDL with the air company and in October 2020 she received 8,131 MDL from it, of which 121 MDL was paid as commission fee. Thus, the Commission included 8,010 MDL as incoming financial flow for 2020.

174. Information received from the banks showed that, at the end of 2019 and the beginning of 2020, the household had 120,202 MDL as bank savings.

175. The Commission also included cash savings of 94,000 MDL carried over from 2019.

176. Thus, in 2020, the incoming financial flow of the subject's household was 792,356 MDL.

*Outgoing financial flows*

177. The CEP for 2020 in a household of two adults and one child constituted 136,116 MDL (3,781 x 12 months x 3 persons).

178. The subject reported an expense of 31,000 MDL for the construction of a gazebo on the family's property in Criuleni. This although the subject's husband mentioned, in the third round of question of his evaluation

(Question 5, a), that it is incorrect to include 31,000 MDL for the construction of the gazebo for 2020. He argued that it was built between 2018 and 2019 using the loan contracted in 2018, and in 2020, the final acceptance of the construction took place. A similar affirmation was made by the subject in the first (Question 7, d) and third round (Question 2, a) of the evaluation under Law No. 26/2022. She specified that funds used to complete the construction of the house and the gazebo came from personal income and a loan taken out on 6 July 2018. The 540,000 MDL loan contracted specifically to complete the construction was used between 2018 and 2019. Additionally, the gazebo was included in the final acceptance report of 28 January 2020, provided by the subject in the pre-vetting evaluation. Notwithstanding, the expense of 31,000 MDL was attributed for 2020 because it was declared by the subject and is supported by banks payments to retailers for furniture and construction materials (e.g. Volta, Vitra, Supraten, Jysk, EleganceIndart, Ilidum prim). The payments – Eximbank (4) and Moldindconbank (10) – were higher than the amount reflected by the subject, i.e. about 32,509.33 MDL.

179. The subject reported an expense of 8,500 MDL for the daughter's studies, and 19,298 MDL for the purchase of two mobile devices.

180. The household also repaid 496,794 MDL for the 540,000 MDL loan from "MAIB" JSC contracted on 6 July 2018.

181. In 2020, the subject registered an expense of 7,736 MDL for the purchase of the air tickets.

182. Information received from the banks showed that, at the end of 2020, the subject's household had 20,027 MDL as bank savings.

183. The Commission also included the declared cash savings of 108,000 MDL.

184. Thus, in 2020, the outgoing financial flow of the subject's household was 827,471 MDL.

185. Accordingly, the subject's household's outgoing financial flow exceeded the incoming financial flow by 35,115 MDL.

*Incoming and outgoing financial flows for 2020*

| **Income MDL** | | **Expenses MDL** | |
|---|---|---|---|
| Subject's salary | +300,887 | CEP | -136,116 |
| Criminal Reform Institute | +1,701 | Construction of gazebo | -31,000 |

| | | | |
|---|---|---|---|
| NIJ | +3,545 | Daughter's studies | -8,500 |
| Husband's income | +6,070 | Purchase of two mobile devices | -19,298 |
| Husband's pension | +239,256 | Bank loan early repayment | -496,794 |
| Transfer to subject's daughter | +18,685 | Bank savings at end of year | -20,027 |
| Refund from airline company | +8,010 | Purchase of air tickets | -7,736 |
| Bank savings at beginning of year | +120,202 | Cash savings at end of year | -108,000 |
| Cash savings at beginning of year | +94,000 | | |
| **Total** | **+792,356** | **Total** | **-827,471** |
| **Difference** | **-35,115** | | |

186. Thus, the subject's household incurred the following inexplicable wealth in the period 2013 – 2025:

| Year | Amount in inexplicable wealth, MDL |
|---|---|
| 2013 | -70,203 |
| 2014 | -150,984 |
| 2020 | -35,115 |
| **Total** | **-256,302** |

187. The Commission has identified that the subject's household accumulated a negative financial balance of -256,302 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.

188. Considering the CEP's margin of error of +/- 5 %, the total inexplicable wealth in the subject's case would be -239,493 MDL, which is still above the threshold.

189. As mentioned in § 125 the Commission considered the finishing and furnishing works for the apartment located in Chișinău as declared by the subject, despite the remaining doubts on the real amount. Given the assumption that these expenses have been higher than declared, and that the

Commission would have included the exact amount, the total negative financial balance would be higher than what the Commission found.

## V. Conclusion of the resumed evaluation

190. 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

191. 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.

192. No later than three days after the approval, a printed paper copy of the electronically signed report, 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.

193. 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.

194. This re-evaluation report was approved by a unanimous vote of the Panel members on 14 July 2026 and signed pursuant to Articles 33 para. (2) and 40 para. (5) of the Rules.

195. Done in English and Romanian.

Andrei Bivol

Chairperson of the Commission

Chair of Panel C

## Anex: Calculations of the cash flows of the subject's household 2013-2017

*Incoming and outgoing cash flows for 2013*

| **Income MDL** | | **Expenses MDL** | |
|---|---|---|---|
| Sale of vehicle | +83,200[8] | CEP | -98,112[9] |
| Available cash | +157,299 | Installments for the apartment | -64,706 |
| | | Finishing works and furnishing of the apartment | -1,000[10] |
| | | Purchase of vehicle | -100,000 |
| **Total** | **+240,499** | **Total** | **-256,126** |
| **Difference** | **-15,627** | | |

*Incoming and outgoing cash flows for 2014*

| **Income MDL** | | **Expenses MDL** | |
|---|---|---|---|
| Available cash | +239,377 | CEP | -101,952[11] |
| | | Finishing works and furnishing of the apartment | -20,000 |
| | | Loan repayment to MAIB | -247,828 |
| **Total** | **+239,377** | **Total** | **-368,692** |

[8] Although the Commission previously expressed doubts regarding that sale price in § 52 of the Report of 18 December 2025, it nevertheless treated that amount as income. The amount is considered as cash income of the household.

[9] The Commission excluded from this amount the identified 7,692 MDL retail expenses on the bank accounts.

[10] The Commission considered this amount doubtful and significantly understated, particularly given that the apartment measured 92.4 sq.m. was delivered in a white-wall condition on 6 November 2013, and required substantial finishing works to become habitable. This doubt is further reinforced by the subject's acknowledgment that the purchased new kitchen cabinets, a bed, and four interior doors, all for 1,000 MDL. However, this further reinforces the notion that the cash expenditures incurred for this year could have been substantially higher.

[11] The Commission excluded from this amount the identified 1,088 MDL retail expenses on the bank accounts.

| | |
|---|---|
| **Difference** | **-129,315** |

*Incoming and outgoing cash flows for 2015*

| **Income MDL** | | **Expenses MDL** | |
|---|---|---|---|
| Loan from MAIB | +100,000 | CEP | -115,728[12] |
| Available cash | +283,284 | Finishing works and furnishing of the apartment | -3,000 |
| | | Payment to "GHEOLARIS" JSC | -128,545 |
| | | Cash savings at end of the year | -100,000 |
| **Total** | **+383,284** | **Total** | **-337,423** |
| **Difference** | **+45,861** | | |

*Incoming and outgoing cash flows for 2016*

| **Income MDL** | | **Expenses MDL** | |
|---|---|---|---|
| Available cash | +353,487 | CEP | -115,920[13] |
| | | Finishing works and furnishing of the apartment | -15,000 |
| | | Expenses related to the household located in Criuleni. | -100,000 |
| | | Loan repayment | -102,789 |
| **Total** | **+353,487** | **Total** | **-321,769** |
| **Difference** | **+31,718** | | |

[12] The Commission excluded from this amount the identified 9,850 MDL retail expenses on the bank accounts.

[13] The Commission excluded from this amount the identified 11,940 MDL retail expenses on the bank accounts.

*Incoming and outgoing cash flows for 2017*

| **Income MDL** | | **Expenses MDL** | |
|---|---|---|---|
| Available cash | +414,900 | CEP | -93,564[14] |
| | | Finishing works and furnishing of the apartment | -10,000 |
| | | Expenses related to the household located in Criuleni. | -200,000 |
| | | Daughter's studies | -6,000 |
| | | Purchase of a vehicle | -240,000 |
| **Total** | **+414,900** | **Total** | **-503,157** |
| **Difference** | **-88,257** | | |

[14] The Commission excluded from this amount the identified 46,407 MDL retail expenses on the bank accounts.