

SECRETARIAT / SECRETĂRIAT

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETĂRIAT DU COMITÉ DES MINISTRES

COMMITTEE
OF MINISTERS
COMITÉ
DES MINISTRES



Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

Date: 21/10/2025

DH-DD(2025)1235

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1545th meeting (December 2025) (DH)

Communication from NGOs (Association for Private Property (Asociația pentru Proprietate Privată), ResRO (Restitution und Menschenrechte in Rumänien e.V.) and Asociația Proprietarilor Deposezați Abuziv de Stat (APDAS)) (13/10/2025) in the cases of Strain and Others group and Valeanu and Others v. Romania (Applications No. 57001/00, 59012/17) (appendices in Romanian are available at the Secretariat upon request).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

* * * * *

Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1545^e réunion (décembre 2025) (DH)

Communication d'ONG (Association for Private Property (Asociația pentru Proprietate Privată), ResRO (Restitution und Menschenrechte in Rumänien e.V.) and Asociația Proprietarilor Deposezați Abuziv de Stat (APDAS)) (13/10/2025) dans les affaires groupe Strain et autres et Valeanu et autres c. Roumanie (requêtes n° 57001/00, 59012/17) (des annexes en roumain sont disponibles auprès du Secrétariat sur demande)
[anglais uniquement]

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

DGI

13 OCT. 2025

SERVICE DE L'EXECUTION
DES ARRÊTS DE LA CEDH



Association for Private Property
Asociația pentru Proprietate Privată



ResRO – Restitution und Menschenrechte in Rumänien e.V.
Asociația pentru Restituirea Proprietăților și Drepturile Omului în România

To: Head of the Department of Execution of Judgements of the ECHR
Ref: **Străin and Others group (Application No. 57001/00) and
Maria Atanasiu and Others (Application No. 30767/05) v. Romania**

For - the 1545th meeting (December 2025)

We are sending this information of current situation on behalf of all main Romanian associations that defend the private property: APP România (**Association for Private Property**), **ResRO** (Restitution und Menschenrechte in Rumänien e. V.), two associations of Romanian dispossessed property owners, admitted as third party interveners at the Pilot *Case Maria Atanasiu and others v. Romania* as well as **Asociația Proprietarilor Deposeđați Abuziv de Stat – APDAS**.

Although Romania is under the ongoing supervision of the Committee of Ministers regarding the way in which it adopts measures of a general nature, so that the ECHR judgments are properly executed, new measures have been recently adopted without any consultations with the Committee.

The new measures have been adopted contrary to Pilot judgment *Maria Atanasiu and Others v. Romania* “210.(...) a judgment in which the Court finds a breach imposes on the respondent State a legal obligation not just to pay those concerned the sums awarded by way of just satisfaction under Article 41, but also to choose, **subject to supervision by the Committee of Ministers**, the general and/or, if appropriate, individual measures to be adopted in their domestic legal order **to put an end to the violation found by the Court and to redress so far as possible the effects**”

Without informing or consulting the Committee of Ministers, The Romanian Government issued the Emergency Ordinance no. 38/2025, in force since 8 August 2025, which substantially changes the Law no. 165/2013 in a way that does not comply with the ECHR judgments. Considering the fact that the Law 165 was drafted

in consultation with the Department for the Execution of Judgments and the Registry of the European Court and the new mechanism was positively assessed by the Committee (with several aspects identified for improvement), all the changes to this law should have been approved by the Committee of Ministers.

Instead of submitting an action plan, as required by The Committee, the Romanian authorities aggravated the situation of former owners, by extending the period of time in which the claims are solved and by introducing new criteria designed to reduce compensation amounts.

1. According to this Emergency Ordinance, **restitution in kind will be greatly limited**

This emergency ordinance severely limits the restitution in kind, contrary to standards reaffirmed by the Court in case *Valeanu and Others v. Romania 2022*, § 239).

*“the Court cannot lose sight of the fact that had restitution in kind been possible, the claimants would have taken possession of **a property which would have encompassed at least some developments** having occurred over time, whether of a general nature (urban planning policy), or of a more particular nature (for instance redevelopments or refurbishments); it follows that if the awarded compensation is to remain equivalent to the value of the property in kind, **it cannot disregard such developments.**”*

In order „not to disregard” such developments, the Romanian Government decided not to award additional compensation at current value to those who cannot be granted possession in kind, and on the other hand, to demand sums of money from owners who would be granted the property back. (the owners who receive property in kind are to pay for „sporul de valoare” (the increase in value of the property due to urban developments, for example). Where this „increase” value is considered to be more than 50% of the property, restitution in kind will no longer be possible.

The so-called “value increase” introduced by GEO 38/2025 should not be applied to persons entitled to reparation measures for properties taken abusively since they have already suffered an irreversible loss: the lack of usufruct and the impossibility of exercising the prerogatives of the right of ownership for a period of fifty-seventy years. This continuous deprivation of use represents a patrimonial diminution of such magnitude that it more than compensates for any eventual “increase” claimed by the state. Consequently, transferring this burden to those entitled to restitution or

compensation represents a distortion of the reparation principle. Restitution in kind would be more appropriate, even from a budgetary perspective.

2. New evaluation criteria and substantial reduction of compensation:

While the Court has accepted the use of public notary grids for valuation purposes—provided that compensation remains reasonably related to current market value—the new ordinance introduces correction coefficients that significantly devalue compensation.

For buildings, the new criteria grant between 50% and 70% of the value established in the notary public grids for buildings with normal finishes, built before 1977, and for annexes (garage, shed, terrace, etc.) only 10% of the grid value.

Not to mention that most of the buildings were new at the moment of deprivation and now the value for very old buildings is chosen from the grid.

For land within urban areas, (even if there are no buildings on it and in the notary public grid it has a higher value), compensation will be granted according to the value for the occupied land, and the following correction coefficients are to be added:

- 0,8 for 1,000–5,000 m² plots (that means only 80% of the grid value is going to be paid as compensation)
- 0,5 for 5,000–10,000 m² plots (that means only 50% of the grid value is going to be paid as compensation)
- 0,2 for plots exceeding 10,000 m² (that means only 20 % of the grid value is going to be paid as compensation)

Applying these „correction coefficients”, the value of compensation will lead to this manifestly inequitable situation:

- Former owner of a plot of 1001 sqm will receive less money as compensation than an owner of a plot of 999 sqm (of the same kind, in the same area).
- For instance, if the public notary grid evaluates the land in a city, let us say, 85 euro per sqm, the result is:

$$999 \text{ sqm} \times 85 \text{ euro/sqm} = 84915 \text{ euro}$$

If the lands exceeds 1000 sqm, than a correction coefficient of 0,8 is to be added:

$1001 \text{ sqm} \times 85 \text{ euro/sqm} \times 0,8 = 68068 \text{ euro}$

Obviously, the compensation established for the bigger plot is not reasonable.

- Another example: compensation for a land of 4000 sqm is more consistent than the amount of compensation for 12000 sqm, again due to the new criteria of evaluation recently introduced:

$4000 \text{ sqm} \times 85 \text{ euro/sqm} \times 0,8 = 272000 \text{ euro}$

$12000 \text{ sqm} \times 85 \text{ euro/sqm} \times 0,2 = 204000 \text{ euro}$

Therefore, the compensation to be paid is not proportional with the surface of land and a larger property thus receives lower compensation, in contradiction with ECHR case-law, which condemns “the failure of the authorities to ensure that the compensation awarded was reasonably related to the current value of the property.”

- For agricultural, forest and pasture land, additional reductions are imposed, resulting in derisory compensation – the very type of violation repeatedly found by the Court.

In the same example, if the land is agricultural, there is another correction coefficient to be added: $12000 \text{ sqm} \times 85 \text{ euro/sqm} \times 0,2 \times 0,5 = 102000 \text{ euro}$

If this land is now situated in a developed urban area, and its value is 85 euro, without these new correction, its value would be: $12000 \text{ sqm} \times 85 \text{ euro/sqm} = 1020000 \text{ euro}$, and thus compensation is only 10% of its current value.

The Romanian authorities justify these measures as preventing the “unjust enrichment” of former owners, an argument entirely inconsistent with the logic of restitution and the ECHR’s interpretation of just satisfaction.

Compensation does not represent a public expense but rather the equivalent value of assets unlawfully transferred to the State’s patrimony.

Furthermore, *the Văleanu and Others v. Romania judgment* (§236) condemned Romania for amending compensation criteria in 2017 without the consent of the Committee of Ministers, finding that such changes distorted the link between compensation and market value.

“However, in 2017, namely after the adoption of the *Preda and Others judgment*, the legislator added to the evaluation criteria, in addition to the date of entry into force

of the law as the relevant one for the evaluation, the location and technical characteristics of the property, as they were at the time of the expropriation (supra, paragraph 149). These criteria, together with the authorities' long delays in finalizing compensation claims, may mean that the level of compensation is no longer reasonably aligned with the real value of the property in the absence of other elements capable of compensating, at least partially, the long period in which the claimants were deprived of their properties"

Based on this ECHR judgement, the Constitutional Court of Romania declared this paragraph of Law no. 165/2013 unconstitutional and the Parliament should have made amendments in the sense requested by the European Court, but GEO no. 38/2025 regulates exactly the opposite, deepening these deficiencies.

- Moreover, the Government introduced an additional provision allowing compensation to be paid in a single instalment only to those who agree to receive 40% of the total amount due.

This mechanism, presented as a "voluntary option," in reality places undue pressure on beneficiaries, many of whom are elderly or in urgent need of funds, effectively coercing them to renounce to more than half of the compensation lawfully owed to them in exchange for faster payment.

Such a measure undermines the principle of full and fair reparation and may be considered discriminatory and inconsistent with the European Court's jurisprudence on the protection of property rights and effective execution of judgments.

3. Persistent delays and further deterioration of the execution process

The Committee of Ministers has on several occasions urged the Romanian authorities to accelerate the processing of pending restitution claims, stressing that persistent administrative delays undermine the effectiveness of the entire mechanism and erode the value of compensation.

Concerns were also expressed that persistent delays in the administrative processing of claims were jeopardising the overall effectiveness of the mechanism and reducing the value of compensation.

Despite these recommendations, the Government has now extended payment deadlines from five annual instalments to seven, although existing deadlines have already been exceeded. Under Government Ordinance No. 10/2025, no payment

certificates will be issued before 31 December 2025, meaning that no payments will be made for almost one year.

We have previously informed the Committee about the fact that issuing the payment certificates has been suspended for 20 months in the last two years. Both Government Ordinance No. 10/2025 and the Emergency Ordinance no. 38/2025 disregard the European Court judgement: “it is particularly important that appropriate arrangements be made in order to ensure that the restitution process is conducted without any further unnecessary delays in order to provide genuine effective relief for violations of their property rights”, (Case Văleanu and Others v. Romania, 2022, § 272),

The division of compensation into seven instalments—without full indexation—will result in considerable financial loss for entitled persons, especially given Romania’s inflation rate

Indexation applies only to the final two instalments (article 41 of GEO 38/2025), disregarding the evolution of property values and falling short of ECHR standards. (ECHR used the 13% indexation rate in Case Văleanu, the Government uses the consumer price index for non-food goods, which is 5,7% and it does not take into consideration de evolution of the price of the property itself).

The Court has emphasized, most recently in Văleanu and Others v. Romania (2025, §114), that compensation must reflect the value of the property at the date of the final payment. The current legal framework fails to meet this requirement, perpetuating inequities and undermining effective redress.

CONCLUSION AND REQUEST

Emergency Ordinance No. 38/2025 was adopted without consultation with the Committee of Ministers and introduces provisions that:

- contravene the Pilot Judgment Maria Atanasiu and Others v. Romania and subsequent ECHR jurisprudence
- substantially limit restitution in kind;
- reduce compensation through arbitrary correction factors and
- extend payment delays, further diminishing the real value of reparations.

We respectfully invite the Committee of Ministers to take note of these developments and to urge the Romanian authorities to:

1. Suspend the application of GEO No. 38/2025;
2. Refrain from adopting any further measures without prior consultation with the Department for the Execution of Judgments; and
3. Restore compliance with the principles established in Maria Atanasiu and subsequent ECHR jurisprudence, ensuring genuine and effective reparation for victims of past confiscations.

Submitted on behalf of:

APP România (**Association for Private Property**) president Călin Ispravnic



ResRO (Restitution und Menschenrechte in Rumänien e.V.) president Hans-Reinhardt Benning



APDAS (Asociația Proprietarilor Deposedați Abuziv de Stat) president Anca Zlătescu





Government of Romania

Emergency Ordinance No. 38/2025 amending and supplementing Law No. 165/2013 on measures to complete the process of restitution, in kind or by equivalent, of properties abusively taken over during the communist regime in Romania

In force since August 8, 2025

Published in the Official Gazette, Part I No. 746 of August 8, 2025. Form applicable as of **October 9, 2025**.

Considering that, by Decision No. 43/2025 of the Constitutional Court, regarding the exception of unconstitutionality of the provisions of Article 21(6) of Law No. 165/2013 on measures to complete the process of restitution, in kind or by equivalent, of properties abusively taken over during the communist regime in Romania, as amended by Law No. 111/2017 approving Government Emergency Ordinance No. 98/2016 for the extension of certain deadlines, the establishment of new deadlines, regarding certain measures for the completion of the activities included in the contracts concluded under the Loan Agreement between Romania and the International Bank for Reconstruction and Development for the financing of the Project on the reform of the judicial system, signed in Bucharest on January 27, 2006, ratified by Law No. 205/2006, as well as for the amendment and supplementation of certain normative acts, the Constitutional Court of Romania declared that the phrase "in consideration of the technical characteristics of the property and its category of use at the date of its takeover," contained in the provisions of Article 21(6) of Law No. 165/2013 on measures to complete the process of restitution, in kind or by equivalent, of properties abusively taken over during the communist regime in Romania, with subsequent amendments and additions, is unconstitutional, given that, within 45 days of the publication of the decisions of the Constitutional Court in the Official Gazette of Romania, Part I, the Parliament or the Government, as the case may be, must bring the provisions declared unconstitutional into line with the provisions of the Constitution,

considering that, by its judgment of January 7, 2025, in the case of Văleanu and Others v. Romania concerning just satisfaction, the European Court of Human Rights held that "taking into account the location and technical characteristics of the property at the time of expropriation could mean that the amount of compensation is no longer reasonably related to the current value of the property,"

since, at present, as a result of Constitutional Court Decision No. 43/2025, there is no longer an unequivocal legislative framework governing the procedure for assessing properties for which compensation is granted in accordance with the provisions of Law No. 165/2013, as subsequently amended and supplemented, and it is necessary for the new criteria for determining the amount of compensation to be clear, uniform at national level and take into account both the interest of persons entitled to obtain compensation in a reasonable and satisfactory amount and the financial capacity of the state to currently support the payment of compensation,

Considering that the restoration of private ownership rights over properties abusively seized during the communist regime, through restitution in kind, must take into account the value of additions and improvements made to the property by the state or by third parties acting in good faith, so that the investments made are protected, taking into account that the amendment, through this legislative act, of the method of evaluating properties will lead to the granting of compensation in a higher amount than before, with an obvious major financial impact on the state budget, and the only solution that would allow budgetary balances to be maintained, but

also guarantee the payment of these amounts, is to change the payment procedure by increasing the number of annual installments,

taking into account that the payment of compensation by increasing the number of annual installments may represent a depreciation of the amounts granted, it is appropriate to introduce two compensatory mechanisms: one whereby, as a result of the express choice of individuals, the possibility of payment in a single installment will be established, but at a rate of 40% of the total compensation, and another which provides for the updating of the amount of tranches six and seven with the consumer price index for non-food goods for the period between the issuance of the payment title for tranche five and the last payment title,

taking into account the need to establish equal treatment between purchasers of property rights subject to restitution laws and purchasers of points awarded by decisions of the National Commission for Property Compensation, which is why it is necessary to introduce rules similar to those provided for in [Article 24](#) of Law No. 165/2013, as amended and supplemented, and in Article 31 of the same legislative act,

Given that, at present, there is no centralized system that can provide the relevant public institutions and authorities with the data necessary, on the one hand, to identify problems arising in the field of granting reparatory measures and, on the other hand, for the process of defending the interests of the Romanian state, it is necessary to regulate the obligation of the holding units/entities responsible for resolving the notifications/requests submitted by the entitled persons to draw up and transmit to the Prefect's Institution centralized reports on the requests resolved on the basis of: Law [No. 10/2001](#) on the legal regime of certain properties abusively taken over between March 6, 1945, and December 22, 1989, republished, with subsequent amendments and additions, Law [No. 1/2000](#) on the reconstitution of ownership rights over agricultural and forestry land, requested in accordance with the provisions of Law [No. 18/1991](#) on the land fund and Law [No. 169/1997](#), as amended and supplemented, Law [No. 247/2005](#) on reform in the areas of property and justice, as well as certain related measures, as amended and supplemented, and Law [No. 165/2013](#), as amended and supplemented, considering that all these aspects constitute an extraordinary situation, the regulation of which cannot be postponed, requiring the adoption of immediate measures by means of an emergency ordinance.

Pursuant to Article 115(4) of the Romanian Constitution, as republished, the Romanian Government adopts this emergency ordinance.

Art. I. - Law [No. 165/2013](#) on measures to complete the process of restitution, in kind or by equivalent, of properties abusively taken over during the communist regime in Romania, published in the Official Gazette of Romania, Part I, No. 278 of May 17, 2013, with subsequent amendments and additions, is amended and supplemented as follows:

- 1.** In [Article 1](#), after [paragraph \(1\)](#), four new paragraphs, paragraphs ⁽¹¹⁾-⁽¹⁴⁾, are inserted, with the following content:
- " (1¹)** *The increase in value that the land or buildings have benefited from shall be taken over against payment only if it does not exceed 50% of the value of the property at the date of takeover. Otherwise, restitution in kind shall not be ordered, as the property shall be considered new in relation to the one taken over.*
- (12)** *In the case of land, the increase in value shall be understood as the effect of changes in technical, economic, or urban planning indicators, and in the case of buildings, the improvements made to them.*
- (13)** *The increase in value is determined by subtracting the value of the property, in its legal and physical condition at the time of takeover, from the current value of the property, both determined in accordance with the provisions of Article 21(6). The increase in value shall be paid by the beneficiaries into a revenue account of the state budget, opened under the tax identification code of the National Authority for Property Restitution.*
- (14)** *The increase in value shall be paid by the beneficiaries into a state budget revenue account opened under the tax identification code of the National Authority for Property Restitution at the Treasury and Public Accounting Department of the Municipality of Bucharest.*

2. Article 31, paragraph (6) is amended and shall read as follows:
to the legal or political position of the Committee of Ministers:

"(6) The valuation of the properties for which compensation is granted shall be expressed in points and shall be made by applying the notarial scale valid for the year preceding the issuance of the decision by the National Commission, with reference to the area and category of the property in the respective locality and by applying the criteria set out in the annex, which forms an integral part of this law. One point is worth one leu."

3. In Article 31, after paragraph (2), two new paragraphs, paragraphs ⁽²¹⁾ and ⁽²²⁾, are inserted, with the following content: (21) The compensation granted for the expropriation of real estate shall be paid in cash.

"⁽²¹⁾ In the case of transfer of rights recognized by the compensation decision, the acquirer is entitled to a number of points equal to the sum of the price paid to the former owner or his legal or testamentary heirs for the trading of points and 15% of the difference up to the value of the points acquired.

(²²) If the price paid cannot be determined, the acquirer shall be entitled to 15% of the value of the points acquired."

4. Article 31, paragraph (3) is amended and shall read as follows:

"(3) Based on the request of the points holder, the National Authority for Property Restitution shall issue, over a period of 7 consecutive years, payment titles, in equal annual installments, within the limit of the value established by the compensation decision. The payment titles shall be issued in the chronological order of the issuance of the compensation decisions."

5. In Article 31, after paragraph ⁽³¹⁾, a new paragraph, paragraph ⁽³²⁾, shall be inserted, with the following content:

"⁽³²⁾ By way of derogation from the provisions of paragraph (3), the holder of points may opt to redeem the points in cash, in a single installment. In this case, the National Authority for Property Restitution shall issue a single payment order for 40% of the amount of points established by the compensation decision or, as the case may be, of the points remaining to be redeemed."

6. In Article 31, after paragraph (4), a new paragraph, paragraph ⁽⁴¹⁾, shall be inserted, with the following content:

"⁽⁴¹⁾ The amount of tranches six and seven shall be updated with the consumer price index for non-food goods for the period between the issuance of the payment order for tranche five and the last payment order. The amount resulting from the adjustment shall be included in the last payment order issued by the National Authority for Property Restitution."

7. After Article 52, an annex shall be inserted, with the content provided in the annex to this emergency ordinance.

Art. II. (1) The provisions of Art. 31 para. (21), (22) and (3) of Law No. 165/2013 on measures to complete the process of restitution, in kind or by equivalent, of properties abusively taken over during the communist regime in Romania, with subsequent amendments and additions, as amended and supplemented by this emergency ordinance, shall apply accordingly to compensation decisions which, on the date of entry into force of this emergency ordinance, are in the process of being converted into cash.

(2) In the case of compensation decisions subject to the cash redemption procedure under Law No. 165/2013, as amended and supplemented, the number of tranches remaining to be converted on the date of entry into force of this emergency ordinance shall be recalculated so that, by including the tranches already issued, their total number shall be 7.

Art. III. - (1) In order to monitor the application of the provisions of Law No. 10/2001 on the legal regime of certain properties abusively taken over between March 6, 1945, and December 22, 1989, republished, with subsequent amendments and additions, of the requests made under the provisions of Law No. 18/1991 on the land fund, republished, with subsequent amendments and additions, of Law No. 1/2000 for the reconstitution of ownership rights over agricultural and forestry land, requested in accordance with the provisions of Land Fund Law No. 18/1991 and Law No. 169/1997, with subsequent amendments and additions, of the requests made in accordance with the provisions of Law No. 247/2005 on reform in the areas of property and justice, as well as certain adjacent measures

, as amended and supplemented, and Law No. 165/2013, as amended and supplemented, the units/entities responsible for resolving the notifications/applications submitted by the entitled persons are required to communicate to the Prefect's Office, within 180 days from the date of entry into force of this emergency ordinance, a centralized report on the resolved and unresolved requests submitted under the legislation on property restitution, containing at least the following information:

- a)** the first and last name of the person on whose behalf the reparatory measures provided for by law were requested;
- b)** the first and last name of the person who benefited from the reparatory measures provided for by law;
- c)** the documents issued in the administrative procedure ordering the granting of the reparatory measures provided for by law;
- d)** the identification details of the property that is the subject of the administrative procedures provided for by law;
- e)** the identification details of the company that owned the real estate and other assets at the time of their unlawful takeover, in respect of which the natural persons, associates/shareholders of the company requested reparatory measures/of the institution issuing the securities, securities/bonds for which reparatory measures were requested;
- f)** other identifying data, such as: the degree of kinship between the person referred to in point (b) and the person referred to in point (a), the land registry coordinates entered in the application for remedial measures and/or in the attached documents, citizenship.

(2) The situation referred to in [paragraph \(1\)](#) shall be updated and communicated quarterly to the Prefect's Office.

(3) The form and method of transmission of the situation referred to in [paragraph \(1\)](#) shall be approved by joint order of the Minister of Finance and the President of the National Authority for Property Restitution, which shall be published in the Official Gazette of Romania, Part I, within 10 days of the date of entry into force of this emergency ordinance.

(4) At the request of the public authorities concerned, the holding units/entities responsible for resolving the notifications/requests submitted by the entitled persons shall be required to submit the report referred to in [paragraph \(1\)](#) and, where applicable, the administrative files.

Art. IV. - (1) It is an offense and is punishable by a fine of between 50,000 and 100,000 lei to commit any of the following acts, unless committed in such circumstances that, according to criminal law, it is considered a crime:

- a)** failure to comply with the deadline provided for in Art. III [para. \(1\)](#);
- b)** failure to communicate the situation provided for in Art. III [para. \(1\)](#);
- c)** communication of erroneous information in the situation provided for in Art. III [para. \(1\)](#);
- d)** failure to comply with the deadline for updating the situation, provided for in Article III [\(2\)](#);
- e)** refusal by the entities responsible for resolving requests/holding units to transmit the situations and documents provided for in Article III, [paragraphs \(1\)](#) and [\(4\)](#).

(2) The finding of contraventions and the application of the sanctions provided for in [paragraph \(1\)](#) shall be carried out by the persons empowered by the economic and financial inspection apparatus within the Ministry of Finance and the regional directorates-general of public finance.

(3) Failure to comply with the reporting/updating obligations provided for in [Article III](#) shall entail the administrative liability of the managers of the holding units/entities responsible for resolving the notifications/requests submitted by the entitled persons.

(4) The administrative offenses provided for in [paragraph \(1\)](#) are subject to the provisions of Government Ordinance [No. 2/2001](#) on the legal regime of administrative offenses, approved with amendments and additions by Law [No. 180/2002](#), with subsequent amendments and additions. PRIME MINISTER

PRIME MINISTER

MIHAIL GAVRIL BOLOJAN

Counter-signed:

Deputy Prime

Minister, Marian

Neacșu

Deputy Prime Minister, Minister of Internal
Affairs,

Marian-Cătălin Predoiu

p. Secretary General of the Government,

Adrian Țuțuianu

Minister of Finance,

Alexandru Nazare

President of the National Authority for
Property Restitution, Cristina Florentina

Stanca

Bucharest, August 8,
2025.

No. 38.

ANNEX

(Annex to Law No. 165/2013)

CRITERIA

for establishing the value of real estate pursuant to Art. 21 para. (6)



Government of Romania

Criteria for determining the value of real estate pursuant to Art. 21(6) of

08.08.2025

An integral part of [Law 165/2013](#), [Emergency Ordinance 38/2025](#)

In force since August 8, 2025

Published in the Official Gazette, Part I no. 746 of August 8, 2025. Form applicable as of **October 9, 2025**.

I. Criteria for the valuation of buildings

1. For residential buildings, the value of compensation is determined using the maximum value provided in the notary public grid for houses in good condition and with normal finishes, applying the following correction coefficients:

- a) for dwellings built before 1977, a correction coefficient of 0.7 is applied;
- b) for buildings constructed from materials that have not undergone a chemical or thermal process, a correction coefficient of 0.5* is applied;

* Wood, adobe, earth, wattle and daub, etc.

c) for areas in buildings that are not intended for residential use (except for balconies), a correction coefficient of 0.1** is applied.

** Veranda, porch, terrace, cellar, garage, storage room, shed, doghouse, sheepfold, latrine, outdoor toilet, etc.

2. The value shall be determined taking into account the built area of the property. If the built area is unknown, the conversion coefficient established in [Article 457\(5\)](#) of [Law No. 227/2015](#) on the Fiscal Code, as amended and supplemented, shall be used.

3. For buildings intended for commercial or industrial use, the value of the compensation shall be determined by using the value provided in the notary public grid for residential houses built before 1977, in good condition and with normal finishes, applying the following correction coefficients:

- a) for commercial premises, a correction coefficient of 1.2 is applied;
- b) for industrial premises, a correction coefficient of 0.8 is applied;
- c) for commercial or industrial spaces built from materials that did not undergo a chemical or thermal process, a correction coefficient of 0.2 is applied;
- d) for areas in buildings that are not intended for commercial/industrial use, a correction coefficient of 0.1** is applied.

** Veranda, porch, terrace, cellar, garage, storage room, shed, doghouse, sheepfold, latrine, outdoor toilet, etc.

II. Criteria for land valuation

1. For urban land - "courtyards-buildings", the value of compensation is determined by using the maximum value provided in the notary public grid for the year prior to the issuance of the decision by the National Commission for Real Estate Compensation for land occupied by buildings, applying the following correction coefficients:

- a) for areas exceeding 1,000 square meters, a correction coefficient of 0.8 is applied;
- b) for areas exceeding 5,000 square meters, a correction coefficient of 0.5 is applied;
- c) for areas exceeding 10,000 square meters, a correction coefficient of 0.2 shall apply.

2. For agricultural land within the built-up area of the locality that has a use category other than "yards-buildings," the value of the compensation is determined using the criteria in subparagraph 1, with the application of the following correction coefficients:

to the legal or political position of the Committee of Ministers.

- a)** for arable land, a correction coefficient of 0.5 is applied;
- b)** for vineyards/orchards, a correction coefficient of 0.7 is applied;
- c)** for pastures/hayfields, a correction coefficient of 0.2 shall be applied;
- d)** for forest land, a correction coefficient of 0.3 shall be applied;
- e)** for unproductive land/other categories, a correction coefficient of 0.1 is applied.

3. For agricultural land outside the built-up area of the locality, the value of the compensation is determined using the value in the notaries' table.

If the notary public tables do not provide for different values depending on the category of use, the following correction coefficients shall be applied to the value of agricultural land:

- a)** for arable land, a correction coefficient of 1 is applied;
- b)** for vineyards, a correction coefficient of 1.4 shall be applied;
- c)** for orchards, a correction coefficient of 1.2 shall be applied;
- d)** for pastures/hayfields, a correction coefficient of 0.6 shall be applied;
- e)** for unproductive land/other categories, a correction coefficient of 0.2 shall apply.