

Consumer market study on the functioning of the real estate services for consumers in the European Union

Country fiche – ROMANIA

General information

Country	Romania
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Main Sources Used	See the list at point 1.2.

1. Regulatory background

1.1 Level of regulation in the country

Table 1: Level of regulation			
	Level of regulation	Source of relevant legislation ¹	Ongoing discussion on regulation/deregulation: current state of affairs and main arguments in the debate
Real estate transactions²	Highly regulated – formality, registration, identity verification	<ul style="list-style-type: none"> • The Civil Code 2011; • Law no. 7/1996 on cadastre and publicity of immovable property; • The Fiscal Code 2015. 	No current debates
Notary system (or lawyer/conveyancer system)³	Highly regulated	<ul style="list-style-type: none"> • Law no. 36/1995 on notaries public and notary activities; • Law no. 589/2004 on the legal regime of electronic notary activities; • The Deontology Code of notaries public of Romania 2015; • UNNPR Decision no. 10/2014 approving the Statute of the National Union of Notaries Public of Romania; • UNNPR Decision no. 72/2013 approving the Regulation concerning the procedure for the organisation and carrying out of the exam or competition concerning the status of trainee notary. 	No current debates

¹ Legislation is generally available online free of charge on the portal of the Ministry of Justice: <http://legislatie.just.ro/>. The various pieces of legislation indicated in this country fiche can be found on this portal.

² E.g. limitations or prohibitions of certain transactions; specific formality requirements etc.

³ Only in countries where notaries do not exist or do not have a monopoly on conveyancing.

Table 1: Level of regulation

Profession of estate agents	Deregulated	<ul style="list-style-type: none"> • General provisions comprised in the Romanian Civil Code 2011 on intermediary contracts – articles 2.096 – 2.102 of the Civil Code; • Specific provisions relating to intermediary contracts for immovable property concluded with consumers are included in the Government Ordinance no. 21/1992 on consumer protection (articles 9⁴ to 9¹¹). 	<ul style="list-style-type: none"> • Existing debates concerning the need for regulation of the profession of real estate agents; • Draft legislation proposed by the largest professional association of real estate agents (the Romanian Association of Real Estate Agencies – A.R.A.I.), not adopted so far; • Former regulation of the profession by means of Government Ordinance no. 3/2000, in force until 27 December 2003, when it was rejected by the Romanian Parliament by means of Law no. 581/2003.
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1.2 National legislation

Table 2: List of national legislation

List of national legislation	Classification of national legislation	Content of the national legislation
Law no. 7/1996 on cadastre and publicity of immovable property	Real estate transactions	Regulates formalities relating to land book registrations and operations
The Civil Code 2011	Transactions; Buyers and sellers; Landlords and tenants	General regulation of civil law
Law no. 36/1995 on notaries public and notary activities	Profession – notaries public	General regulation of the profession of notary public, professional standards and bodies

Table 2: List of national legislation		
Law no. 589/2004 on the legal regime of electronic notary activities	Profession – notaries public	Regulation of electronic notary activities
The Deontology Code of notaries public of Romania 2015	Profession – notaries public	Professional regulation of ethics standards and governing principles for the notary public profession
UNNPR Decision no. 10/2014 approving the Statute of the National Union of Notaries Public of Romania	Profession – notaries public	Internal professional regulation
UNNPR Decision no. 72/2013 approving the Regulation concerning the procedure for the organisation and carrying out of the exam or competition concerning the status of trainee notary	Profession – notaries public	Internal regulation concerning the admission to the profession of notary public
Government Ordinance no. 21/1992 on consumer protection	Consumers; Intermediary contracts	General provisions concerning consumer protection and consumer protection procedures
Law no. 363/2007 on counteracting unfair commercial practices of traders in their relation to consumers and for the harmonization of regulations with the European legislation on consumer	Consumers; Transactions	National legislation implementing Directive 2005/29/EC on unfair commercial practices (UCPD)
Law no. 193/2000 on unfair terms in contracts concluded between traders and consumers	Consumers; Transactions	National legislation implementing Directive 93/13/EEC
Emergency Government Ordinance no. 14/2011 on the protection of consumers in the conclusion and performance of contracts concerning the acquiring of the right of use for a limited time of one or several accommodation units, of long-term contracts concerning the acquiring of certain benefits for holiday products, of resale contracts as well as of exchange contracts	Consumers; Transactions	National legislation implementing Directive 2008/122/EC

Table 2: List of national legislation

Law no. 372/2005 on energy performance of buildings	Transactions; Consumers	National legislation implementing Directive 2010/31/EU
Law no. 200/2004 on recognition of diplomas and professional qualifications for professions regulated in Romania	Regulation of professions	National legislation on recognition of diplomas and professional qualifications, also implementing Directive 2005/36/EC
Government Ordinance no. 52/2016 on credit agreements concluded with consumers for immovable assets as well as on the amendment of the Emergency Government Ordinance no. 50/2010 on consumer credit agreements	Regulation of professions	Partly implementing Directive 2005/36/EC
Government Decision no. 775/2016 on the setting up and functioning of the structure in charge of alternative dispute resolution within the National Authority for Consumer Protection, as well as on the amendment of the Government Decision no. 700/2012 concerning the setting up and functioning of the National Authority for Consumer Protection	Consumers	Regulates the setting up and functioning of the Direction for Alternative Dispute Resolution ("Directia SAL") as a sub-structure having no legal personality, within the National Authority for Consumer Protection
Law no. 51/1995 on the organization and practicing the profession of attorney	Regulation of profession	General regulation of the profession of attorney at law (lawyer), professional standards and bodies

1.3 Implementation of relevant EU legislation

Table 3: Implementation of relevant EU legislation					
EU legislation	Implementation achieved?	Implementation of EU legislation at the national level (e.g. the name of the law)	Source of the national implementation legislation	Content of the national legislation in keywords	Which parts of the EU legislation have <u>not</u> been transposed?
Directive 2005/29/EC on unfair commercial practices (UCPD)	Yes	Law no. 363/2007 on counteracting unfair commercial practices of traders in their relation to consumers and for the harmonisation of regulations with the European legislation on consumer protection – Title I of the act contains provisions implementing the Directive.	The Romanian Parliament	Same as the Directive	None
Directive 93/13/EEC on unfair terms in consumer contracts	Yes	<ul style="list-style-type: none"> • Law no. 193/2000 on unfair terms in contracts concluded between traders and consumers; • The legal effect of article 5 of the Directive is achieved by national legislation through the general rule of interpretation <i>in dubio pro reo</i>, in article 1.269 of the Romanian Civil Code. 	The Romanian Parliament	Slightly different from the wording of Directive 93/13/EEC. Definitions of “consumer” and “trader” have the same wording as in Directive 2005/29/EC, which might lead to variations in the extension of the field of application of the national legislation to consumer contracts. ⁴	None

⁴ The definition of “trader” in the Romanian Law no. 193/2000 is the same as in the Directive 2005/29/EC (“any natural or authorized legal person who, in a contract which falls under the provisions of the present law, acts within their commercial, industrial, production, craft or liberal activity, as well as any other person acting for the same purpose on behalf of the former”). The definition of “consumer” in the Romanian Law no. 193/2000 is the following: “any natural person or association of natural persons who, in a contract which falls under the provisions of the present law, acts for purposes outside of their commercial, industrial, production, craft or liberal activity”. It therefore also includes associations of natural persons, in addition to the definition of consumer according to Directive 2005/29/EC.

Table 3: Implementation of relevant EU legislation

Directive 2008/122/EC on the protection of consumers, in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts	Yes	Emergency Government Ordinance no. 14/2011 on the protection of consumers in the conclusion and performance of contracts concerning the acquiring of the right of use for a limited time of one or several accommodation units, of long-term contracts concerning the acquiring of certain benefits for holiday products, of resale contracts as well as of exchange contracts. The emergency ordinance was approved in modified form by the Romanian Parliament by means of the Law no. 25/2015	The Romanian Government – legislation subsequently approved modified version by the Romanian Parliament	Same as the Directive	None
Directive 2010/31/EU of Energy Performance of Buildings Directive	Yes	Law no. 372/2005 on energy performance of buildings, as amended by Law no. 156/2016 approving the Government Ordinance no. 13/2016.	The Romanian Parliament	Integrates pre-existing national law and the Directive	None
Directive 2005/36/EC on Recognition of Professional Qualifications, as last amended by Directive 2013/55/EU	Yes	<ul style="list-style-type: none"> • Law no. 200/2004 on recognition of diplomas and professional qualifications for professions regulated in Romania; • Government Decision no. 469/2015 for the approval of the minimal mandatory criteria for authorization and accreditation for university study programs in medicine, dental medicine, pharmacy, 	<ul style="list-style-type: none"> • The Romanian Parliament; • The Romanian Government (for the Government Decision no. 469/2015). 	Integrates pre-existing national law and the Directive Government Decision no. 469/2015 transposes the provisions of article 1, points 18, 23, 26, 29, 30, 31, 33 and 35 of Directive 2013/55/EU	None

Table 3: Implementation of relevant EU legislation

		general medical assistance, midwives, veterinary medicine and architecture.			
Mortgage Credit Directive, 2014/17/EC	Yes	Emergency Government Ordinance no. 52/2016 on credit agreements concluded with consumers for immovable assets as well as on the amendment of the Emergency Government Ordinance no. 50/2010 on consumer credit agreements.	The Romanian Government	Same as the Directive	None

1.4 Communications and strategy papers

Table 4: Communications and strategy papers

Communication or strategy paper	Have the following communications and strategy papers been referred to in national documents?	Name of document	Source	Content	Differences with respect to communications and strategy papers listed in the first column
COM(2015) 550 final Communication of the Commission Upgrading the Single Market: more opportunities for people and business	Yes	Decision of the Chamber of Deputies no. 12/2016 adopting the opinion on COM (2015) 550 final Communication	The Romanian Parliament – Chamber of Deputies	Favourable comments on the contents of the Communication, with a few observations relating to the necessity of adjusting the	None

				measures envisioned to the national social and economic reality.	
COM(2013)676 Communication from the Commission on evaluating national regulations on access to professions	Yes	Opinion of the President of the Chamber of Deputies no. 1/4482/2013	The Romanian Parliament – President of the Chamber of Deputies	Favourable comments on the contents of the Communication.	None
COM(2016)820 Communication from the Commission on reform recommendations for regulation in professional services	Yes	Decision of the Senate no. 67/2017 adopting the opinion on COM (2016) 820 Communication	The Romanian Parliament – the Senate	Favourable comments on the contents of the Communication.	None
European Consumer Agenda	No	--	--	--	--
Consumer Programme 2014-2020	Yes	Government Decision no. 775/2016 on the setting up and functioning of the structure in charge of alternative dispute resolution within the National Authority for Consumer Protection, as well as on the amendment of the Government Decision no. 700/2012 concerning the setting up and functioning of the National	The Romanian Government	Regulates the setting up and functioning of the Direction for Alternative Dispute Resolution (“Directia SAL”) as a sub-structure having no legal personality, within the National Authority for	None

		Authority for Consumer Protection		Consumer Protection.	
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2. General market information

2.1 Key market data

Table 5: Key market data

General market situation (e.g. trends in the market, recent developments in the market, price fluctuations, etc.)

Real estate activities (data from the Romanian Statistical Yearbook 2016, INSSE, p. 363):

- 2011 - 45362,9 mil. Lei (Euro 9,752.53 mil.);
- 2012 – 47649,4 mil. Lei (Euro 10,244.10 mil.);
- 2013 – 50676,6 mil. Lei (Euro 10,894.91 mil.);
- 2014 – 54306,3 mil. Lei (Euro 11,675.26 mil.);
- 2015 – 60692,2 mil. Lei (Euro 13,048.16 mil.).

Status of employment in real estate activities in 2015 (data from the Romanian Statistical Yearbook 2016, INSSE, p. 368):

- Total - 29,800, out of which employees – 27,700, self-employed – 2,100.

Total value of residential transactions for buying and renting for the year 2015 (2014 or 2013 depending on the latest available data) expressed in EUR

Total number of real estate transactions in 2016 – 781,789: (<http://www.ancpi.ro/pages/statistica.php?lang=ro>)

The only relevant data available refers to the number of real estate transactions as registered in the land book, without distinguishing between transactions regarding land and/or buildings, residential or having other destinations. This information refers only to the transfer of ownership rights (sale-purchase transactions), since renting/letting contracts are not generally registered in the land book (the registration of such transactions is not a legal requirement and therefore it is rarely performed, especially in contracts involving consumers).

For the years 2015-2016, the data available on the website of the National Agency for Cadaster and Immovable Publicity (*Agentia Nationala de Cadastru si Publicitate Imobiliara - ANCPI*) indicates the following figures (overall national total per month – until September 2016, inclusively):

	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15
TOTAL National	54898	65262	78962	68842	71858	73455	77426	77681	78411	80990	76661	85722

Table 5: Key market data

	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16
TOTAL National	48487	73690	89724	84768	79228	80173	77029	84572	85838
Ratio house owners – tenants (i.e. the percentage of households that are owners resp. tenants of dwelling units)	<ul style="list-style-type: none"> • Total: 8,882,090 dwellings, 24,167,255 habitation rooms, 419,859,631 sqm living floors; Urban: 4,843,760 dwellings, 12,242,772 rooms, 231,337,517 sqm living floors; Rural: 4,038,330 dwellings, 11,924,483 habitation rooms, 188,522,114 sqm living floors (Romanian Statistical Yearbook 2016, INSSE, p. 219); • Finished dwellings, by number of habitation rooms in 2015: with one room – 3,430; with two rooms – 12,289; with three rooms – 12,110; with four rooms and over – 19,155. Total number of finished dwellings in 2015: 46,984 (Romanian Statistical Yearbook 2016, INSSE, p. 222); • Dwelling ownership in Romania in 2015 (according to the most recent Eurostat survey)⁵: 96,5%; • Tenancy rate in 2015 (at market price / at a reduced price / free): 3,5%. 								

⁵ http://ec.europa.eu/eurostat/statistics-explained/index.php/Housing_statistics

Table 5: Key market data

Usage of land (Quotas for built land, agricultural land, "wild land" (forests, lakes etc.)

According to the National Institute of Statistics, use of land in 2014 was:

	thousand hectares	%
Agricultural land	14,630	61.3
Forestry	6,734	28.2
Constructions	758,2	3.1
Coastal and inland water	831,4	3.4
Other	885,4	4
Total	23,839	

Average prices of residential property

According to the type of property

- Average flat of ca. 70 sqm
- Terrace house of ca. 100 sqm
- Detached (one family house) of ca. 150 sqm

Romania does not publish official house price statistics.

According to the type of location

- Capital city
- Urban areas
- Rural areas

Location	Euro	Lei
Bucharest – capital city	1,175 euro/sqm	5,287.5 lei/mp

Table 5: Key market data

Table 5: Key market data					
			Timisoara (west) – Urban area	1,065 euro/sqm	4,792.5 lei/mp
			Cluj-Napoca (centre) – Urban area	1,250 euro/sqm	5,625 lei/mp
			Iași (north east) – Urban area	914 euro/sqm	4,113 lei/mp
			Constanța (south east) – Urban area	992 euro/sqm	4,464 lei/mp
			Brașov (centre) – Urban area	923 euro/sqm	4,153.5 lei/mp
			March 2017		
Price development of residential property	<p>According to the type of property</p> <ul style="list-style-type: none"> • Average flat of ca. 70 sqm • Terrace house of ca. 100 sqm • Detached (one family house) of ca. 150 sqm 	<u>Notes:</u>	<ol style="list-style-type: none"> 1. All data referred to here below is gathered from various media articles quoting a 2017 Eurobank Property Services (EPS) report⁶; 2. No precise figures are available indicating prices in Euro/Lei for the types of property mentioned on the left column. <ul style="list-style-type: none"> • Fluctuation of residential property prices in 2017, as compared to 2016: increase of 9,2%; • General tendency in the last five years: increase of an average of 2,1% per year; • Yearly increase of prices for Bucharest (capital city) of 7%; • Central region – yearly increase of 3,2%; • Eastern region – yearly increase of 2,3%; 		

⁶ <http://mobile.hotnews.ro/stire/22069684>, <http://www.propertybuzz.ro/indicele-proprietatilor-rezidentiale-trimestrul-3/>

Table 5: Key market data

		<ul style="list-style-type: none"> Western region – yearly increase of 2%. 																					
	<p><i>According to the type of location</i></p> <ul style="list-style-type: none"> Capital city Urban areas Rural areas 	<table border="1"> <thead> <tr> <th>Location</th> <th>Euro</th> <th>Lei</th> </tr> </thead> <tbody> <tr> <td>Bucharest – capital city</td> <td></td> <td></td> </tr> <tr> <td>Timisoara (west)</td> <td></td> <td></td> </tr> <tr> <td>Cluj-Napoca (centre)</td> <td></td> <td></td> </tr> <tr> <td>Iasi (north east)</td> <td></td> <td></td> </tr> <tr> <td>Constanța (south east)</td> <td></td> <td></td> </tr> <tr> <td>Braşov (centre)</td> <td></td> <td></td> </tr> </tbody> </table>	Location	Euro	Lei	Bucharest – capital city			Timisoara (west)			Cluj-Napoca (centre)			Iasi (north east)			Constanța (south east)			Braşov (centre)		
Location	Euro	Lei																					
Bucharest – capital city																							
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Cluj-Napoca (centre)																							
Iasi (north east)																							
Constanța (south east)																							
Braşov (centre)																							
<p>Development of price index (Housing price index if existing, otherwise Consumer price index)</p>	<p>Housing Index in Romania increased to 108.96 Index Points in the first quarter of 2017 from 107.70 Index Points in the fourth quarter of 2016. Housing Index in Romania averaged 107.01 Index Points from 2009 until 2017, reaching an all-time high of 132.70 Index Points in the first quarter of 2009 and a record low of 96.01 Index Points in the third quarter of 2014.⁷</p>																						

⁷ Source: <https://tradingeconomics.com/romania/housing-index?>

Table 5: Key market data

ROMANIA HOUSE PRICE INDEX



SOURCE: TRADINGECONOMICS.COM | EUROSTAT

Limited statistical data – spaces left blank where no data was available.

2.2 Service providers

Table 6: Service providers⁸						
	Total number of firms	Total number of professionals	Total number of employees	Branch offices per firm	Market concentration in % of turnover	Average turnover per firm (expressed in EUR)
Estate agents	14,472 in 2015	N/A	29,800	N/A	N/A	N/A
Lawyer/ Advocates/ Solicitor	N/A	32,713	N/A	N/A	N/A	N/A
Notary	N/A	2,720	N/A	N/A	N/A	N/A
Licensed conveyancers	The profession does not exist in Romania	--	--	--	--	--
Architects	N/A	N/A	N/A	N/A	N/A	N/A
Surveyor	N/A	N/A	N/A	N/A	N/A	N/A
Engineers	N/A	N/A	N/A	N/A	N/A	N/A
Other relevant service provider						

⁸ Limited statistical data are available for several categories of service providers. Despite the limited availability of data, the validity and quality of the content of the country fiche is not affected.

3. Roles of professionals and services in the real estate market

Table 7: Role of professionals in the real estate market						
	Estate agent	Property valuator ⁹	Lawyer/Advocate/ Solicitor	Notary	Bank	Technical expert
Main function: does the professional typically work independently or as part of a firm or another organisation?	Usually part of a firm (most often a company), even though working independently is possible under the law.	Usually part of a firm (most often a company), even though working independently is possible under the law.	Both independently and as part of a firm	Usually works independently, but collaboration is increasingly frequent	N/A	Usually part of a firm (often a company), even though working independently is possible under the law.
Extent of engagement (at which point(s) does each professional intervene in the process?)	First point of contact, often participates during negotiation and sometimes assists the parties in concluding the contract (especially in the case of sale and purchase).	Time of survey, before contract	It is unusual for the services of an attorney to be retained in real estate transactions involving consumers. However, when this is the case, intervention takes place during negotiation, before contract and at the signing of contract.	Conclusion of the contract and sometimes before contract, for the conclusion of a preliminary agreement (usually drafts the agreement).	Before and at the conclusion of contract.	Before contract, even though this is rarely the case.
Mandatory involvement	No	Mandatory when taking a mortgage, otherwise not mandatory.	No	Yes (for transactions involving the transfer of immovable property – residential	N/A	No

⁹ In some EU countries, the real estate property valutors are regulated as a profession that is separate from estate agents (e.g. Hungary, Lithuania, Latvia); their services might be obligatory, especially when taking mortgage loans.

Table 7: Role of professionals in the real estate market

				buildings and any type of land + any mortgages on immovable property). Not mandatory for renting agreements.		
How are their fees/charges structured	<p>In the case of sale and purchase agreements: usually % of the value of the transaction, but flat fees are also frequent (usually borne by the purchaser).</p> <p>In the case of renting agreements, the fee is usually set at the level of rent for one month, but can also be specified as flat fee (usually borne by the renter).</p>	<p>Scale - % of value of the transaction (for sale and purchase agreements).</p> <p>Unusual for renting agreements</p>	Can either be set as hourly fees, flat fees or a % of the value of the transaction (borne by the party who requires assistance).	Minimal fees set as % of the value of the transaction.	No fees for the transaction, only fees relating to credit agreement, if that is the case.	Can either be set as hourly fees or flat fees (most often), borne by the party who requires assistance.

4. Land registration

Table 8: Land registration	
Responsible authority(ies) dealing with land registration	National Agency of Cadaster and Immovable Publicity (“Agenția Națională de Cadastru și Publicitate Imobiliară”) – through its regional and local branches.
Actors involved in the registration procedure and their main functions	<p>The notary public who authenticates the sale and purchase agreement is legally and exclusively bound to perform the registration of the transaction in the land registry (article 35 of Law no. 7/1996). Such registration must be requested by the notary public on the same day or, at the latest, on the following business day after the conclusion of the contract.</p> <p>Registration is not mandatory for renting agreements as a formality condition. However, such agreements may be registered in the land book of the property, upon the request of either of the parties, in order to make them opposable to third parties.</p>
Intermediate steps of the registration procedure, if applicable	Before the conclusion of the authenticated agreement for the transfer of the property right, the notary public requests the release of a land extract for authentication purposes. The validity of such extract extends for a period of 10 working days from the date of its release and has the legal effect of “blocking” all other registrations in the land book of the respective immovable property. The notary public will perform the registration of the contract transferring the property right within the 10 days of validity of the land extract.

5. The process to buy or sell a property

5.1 Main steps in the transaction process to buy or sell a property

Table 9: Main steps of the process to buy or sell a property			
Main steps	Main function	Applicable	National specificities/additional functions/main actors
Estate agent services	Matching the parties	Usual	N/A
Alternative matching devices	Matching the parties	Unusual	N/A
Preliminary contract	Securing the transaction before the final contract is concluded	Usual	N/A
Preliminary checks (land register, administrative permits)	Ensuring that the buyer knows all legal obligations and relevant features related to the property	Yes	Less usual for transaction involving consumers, as this would involve higher costs for them. However, such preliminary checks are possible and can be performed by the purchaser him/herself, a hired technical expert or by a lawyer.
Drafting the sales contract and/or deed of conveyance	Summarising the agreement of the parties	Yes	In most frequent cases, the sales contract is drafted by the notary public who authenticates the transaction. However, the contract can also be drafted by an attorney at law and then presented to the notary public for authentication (more unusual in the case of contracts concluded with consumers, as they more rarely retain legal assistance).
Legal advice or counselling	Ensuring that the transaction is valid and that the parties know about their rights and duties	Yes	See observation above

Table 9: Main steps of the process to buy or sell a property

Certification of signatures	Ensuring the validity of the agreement	Usual	Mandatory to be performed by notary public
Contract execution (transfer of payment)	Executing the contract (and securing that both parties perform their obligations)	Yes	Usually payment is confirmed through the sale contract itself (the seller expressly acknowledges the receipt of the price, if that is the case).
Contract execution (transfer of property)	Executing the contract (and securing that both parties perform their obligations)	Yes	Usually takes place upon conclusion of the sale contract, unless otherwise agreed by the parties.
Registration	Making the transaction visible to third parties and the public	Usual	Mandatory
Taxation (esp. transfer tax)	Creating revenue for the state	Yes	Retained by the notary public upon conclusion of the contract.
Post-transaction controls	Securing that the contract is duly executed	Unusual	

5.2 Sale contract and transfer of ownership

Table 10: Contract of sale and transfer of ownership

Main steps	Actors involved per intermediate step	Payment details ¹⁰		Typical risks associated to these steps
		Payments expressed : • In EUR as % of total purchase price <u>and</u> • As a fixed amount if available (add if VAT applies) ¹¹	When is the payment made	
Estate agent services or alternative matching devices	Usual, although not mandatory	<ul style="list-style-type: none"> Between 1-3% + VAT of sale price (VAT applicable depending on the status of the estate agent – registered for VAT purposes or not); Sometimes fixed amount, as negotiated with client. 	Upon conclusion of the sale contract	N/A
Preliminary contract (usual)	Usual, although not mandatory	<ul style="list-style-type: none"> Advance payment - negotiated as a % of the sale price (usually varies between 5-10%), to be subsequently deducted from the total price upon conclusion of the sale contract; 	Upon conclusion of the preliminary agreement or within a short period (usually less than 5 working days).	Failure of the purchaser to make payment => risk of incurring penalties, depending on the terms of the preliminary agreement, as negotiated by the parties.

¹⁰ Payment shall be considered as the 'discharge of an obligation by its settlement equal to the monetary value of the debtor's obligation' while fees can be defined as 'a charge for services rendered' (Retrieved from: <http://www.investorwords.com/3634/payment.html>, <http://www.investorwords.com/1922/fee.html>). Payment, therefore, includes both the cost of the service and the fees for the service in question.

¹¹ Flat fees are rarely established with clients, since the preferred system is that of a % of the sale price. For this reason, individual flat rates are negotiated on a case-by-case basis and an indicative amounts of such fees cannot be provided.

Table 10: Contract of sale and transfer of ownership

		<ul style="list-style-type: none"> Sometimes fixed amount, as negotiated by the parties. 		
Preliminary checks (land register, administrative permits)	<ul style="list-style-type: none"> Checks of the land register – usual; Checks concerning administrative permits – unusual. 	Fees negotiated with technical experts and/or lawyers – VAT applicable on a case-by-case basis (see Section 3, Table 7 above).	Before conclusion of sale contract	Subsequent legal disputes relating to characteristics of the property or (pre)existing rights over the property
Drafting the sales contract and/or deed of conveyance	Usual	Included in notary fees – VAT applicable on a case-by-case basis, depending on whether notary public is registered for VAT purposes or not ¹² .	Upon conclusion of sale contract	
Legal advice or counselling	Unusual for transactions involving consumers	Fees negotiated with lawyer – VAT applicable on a case-by-case basis (see Section 3, Table 7 above).	Usually before conclusion of sale contract	
Certification of signatures	Mandatory	Included in notary fees – VAT applicable on a case-by-case basis, depending on whether notary public is registered for VAT purposes or not.	Upon conclusion of sale contract	
Contract execution (transfer of payment and registration; transfer of property)	Unusual	Payment of the price made according to the terms negotiated by the parties – VAT applicable on a case-	Upon conclusion of sale contract or on a later date, if so agreed by the parties	

¹² Notary fees vary widely, depending on the value of the transaction and therefore an average amount cannot be indicated. For example, the notary fees for a sale-purchase of an immovable of the value of Eur 150,000 would be of Eur 1,212, as calculated in accordance with the provisions of the Order of the Minister of Justice no. 46/C/2011.

Table 10: Contract of sale and transfer of ownership

		by-case basis, depending on the status of the seller		
Registration in land register or similar device	Mandatory	0.15% of the total transaction value – for natural persons (consumers).	Upon conclusion of sale contract, retained directly by the notary public, to be subsequently transferred to the land register authorities.	
Taxation (esp. transfer tax)	Since 1 February 2017, mandatory only for transactions of a value exceeding RON 450,000 (~ Eur 100,000).	<ul style="list-style-type: none"> Not applicable for sales not exceeding RON 450,000 (~ Eur 100,000); If the purchase price is higher than 100,000 euro (or 450,000 lei) the seller must pay a tax of 3% of the difference between the purchase price and 100,000 euro. 	Upon conclusion of sale contract, retained directly by the notary public, to be subsequently transferred to state authorities.	

▲ Legal position of a tenant occupying the dwelling to be sold. In particular: Does the rule *emptio non tollit locatum* apply?

According to the provisions of article 1.811 of the Romanian Civil Code, in case of sale of a rented property, the default rule is that the renting agreement will continue and will be opposable to the new owner (under the conditions indicated below), unless the agreement expressly provides otherwise. If the renting agreement expressly stipulates that termination shall occur in case of transfer of property, the notice period applicable for the tenant to vacate the property is double to that of the normal notice period applicable in case of unilateral termination of the contract (article 1.812 of the Romanian Civil Code).

For the rights of the tenant arising from the renting agreement to be opposable to the new owner, it is necessary that the renting agreement be (i) registered in the land book of the property – for property which is included in the land register or (ii) certified on a date prior to the certified date of the sale contract – for property which is not included in the land register. Dwellings and lands are normally included in the land registry, with extremely few unregulated exceptions.

5.3 Professional services performed in the real estate market related to buying and selling a property

Table 11: Professional services performed in the real estate market related to buying and selling a property

Services in the real estate market	Minimum standards for information provided by law	Service providers involved	Quality of involvement (mandatory, optional; if optional, indicate whether usual or not)	Fees expressed: <ul style="list-style-type: none"> • In EUR as % of total purchase price <u>and</u> • As a fixed amount (if available)
Estate agent services or alternative matching devices	<p><i>Article 9⁴ of the Government Ordinance no. 21/1992 on consumer protection:</i></p> <p>Information must be provided in writing, before concluding a contract with the estate agent, relating to:</p> <ul style="list-style-type: none"> • Prices on the market for property of the type which is of interest to the consumer, according to the information existing in the databases of the estate agency; • Deficiencies and inconveniences known to the estate agency relating to a particular property; • The level of the fees of the estate agency; • The legal situation of the immovable property; • An estimated level of costs to be borne by the consumer in order to obtain and draft the 	Real estate agents	Optional - usual	<ul style="list-style-type: none"> • Between 1-3% + VAT of sale price (VAT applicable depending on the status of the estate agent – registered for VAT purposes or not); • Sometimes fixed amount, as negotiated with client.

Table 11: Professional services performed in the real estate market related to buying and selling a property

	<p>documents related to the transaction.</p> <p><i>Articles 9⁵ – 9⁶ of the Government Ordinance no. 21/1992 on consumer protection:</i></p> <p>Minimum information that must be included in contracts between consumers and real estate agents:</p> <ul style="list-style-type: none"> • Identification data relating to the parties; • Object of the contract/nature of the service provided; • Price requested by seller/or which the purchaser is willing to pay; • Duration of the contract; • Conditions under which the contract may be unilaterally denounced; • Conditions for termination of contract; • Maximum level of the fees owed by the consumer to the estate agency for the contract; • Exclusivity clause, if agreed by the parties; • Indication of the situations in which the consumer owes the agency the fee; 			
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Table 11: Professional services performed in the real estate market related to buying and selling a property

	<ul style="list-style-type: none"> • Rights and obligations of the parties; • Force majeure situations; • Date of conclusion of the contract; • General characteristics of the immovable property which may influence the consumer's decision to purchase, including level of finishing works, dimensions, age of property and geographical positioning (mandatory to be included when the consumer is the potential purchaser); • Fees for the services provided (mandatory to be included when the consumer is the potential purchaser). 			
Provision of mandatory information before the start of the transaction, if applicable	N/A	N/A	N/A	N/A
Preliminary contract (usual)	N/A	Real estate agents/lawyers/notaries public	Optional - usual	Depending on service provider – either flat fee or hourly fee, sometimes % of the value of the transaction.

Table 11: Professional services performed in the real estate market related to buying and selling a property

<p>Preliminary checks (land register, administrative permits)</p>	<p>N/A</p>	<p>Real estate agents/lawyers/notaries</p>	<p>Optional – unusual</p>	<p>Depending on service provider – either flat fee or hourly fee, sometimes % of the value of the transaction.</p>
<p>Drafting the sales contract and/or deed of conveyance</p>	<p>General provisions relating to sale contracts, as regulated by the Romanian Civil Code (identification of the parties, object, price, rights and obligations of the parties etc.)</p>	<p>Notaries public</p>	<p>Mandatory</p>	<ul style="list-style-type: none"> • Minimal fees established as a % of the value of the transaction by the Council of the National Union of Notaries Public and enacted by order of the Minister of Justice (currently Order no. 46/2011 of the Minister of Justice); • The minimal percentage notary fees established by order of the Ministry of Justice in relation to transfer of immovable property depends on the value of the transaction (by scales of value). For instance, for the sale of an immovable which has a value between RON 30,001 (~ Eur 6,700) and RON 60,000 (~ Eur 13,300), the minimal notary fees would be of RON 580 (~ Eur 130) + 1.3% of the amount exceeding RON 30,001; • For the sale of an immovable which has a value between RON 60,001 (~ Eur 13,300) and RON 300,000 (~ Eur 66,700), the minimal notary fees would

Table 11: Professional services performed in the real estate market related to buying and selling a property

				be of RON 970 (~ Eur 216) + 0.9% of the amount exceeding RON 60,001.
Legal advice or counselling	N/A	Lawyers	Optional – unusual	Either flat fee or hourly fee to be negotiated with client
Certification of signatures	N/A	Notaries public	Mandatory - authentication of contract by notary public	Included in notary fees – see above
Contract execution (transfer of payment; transfer of property)	N/A	N/A	N/A	N/A
Registration in land register or similar device	N/A	Notaries public – performing the registration formalities with the local land register authorities.	Mandatory	0.15% of the total transaction value – for natural persons (consumers)
Taxation (esp. transfer tax)	N/A	Notaries public – retaining the tax for the transaction (if applicable), to be subsequently transferred to state authorities.	Since 1 February 2017, mandatory only for transactions of a value exceeding RON 450,000 (~ Eur 100,000)	<ul style="list-style-type: none"> • Not applicable for sales not exceeding RON 450,000 (~ Eur 100,000); • For sales exceeding RON 450,000 (~ Eur 100,000), 3% applied to the resulting difference between the total price – RON 450,000.

5.4 Creating a Mortgage

Table 12: Mortgage requirements

Main steps to create a mortgage	Actors/institutions involved	Minimum standards for information	Additional requirements for consumer mortgages	Fees expressed: • In EUR as % of total purchase price <u>and</u> • As a fixed amount (if available)	Typical risks associated to these steps
Conclusion of credit and mortgage agreement with lender (bank)	Bank (lender) Notary public (mortgage agreement must be drafted in authenticated form)	According to Emergency Government Ordinance no. 52/2016, implementing the MCD General provisions included in the Romanian Civil Code	N/A	Minimal and maximal notary fees established by law as % of the value of the transaction Legal fees (in case optional legal assistance was retained by consumer) – flat or hourly rate, as negotiated between the parties	N/A
Insertion of mortgage in the land register, usually at first rank	Notary public (mortgage registration formalities will be performed by notary public after conclusion of the agreement) Land register – local authorities	N/A	N/A	Land book fees for mortgage registration – RON 100 (~ Eur 22)/ immovable property + 0.1% of the value of the guaranteed debt	N/A
Credit sum paid to mortgagor (buyer) or seller	Bank	N/A	N/A	N/A	N/A

6. The process to rent or let a property

6.1 Main steps in the transaction process to rent and let a property

Table 13: Main steps of the process to rent and let a property	
Main steps	Process involved¹³
Finding and matching landlords and tenants	<ul style="list-style-type: none"> • Usually through direct contact/online platforms/newspaper advertising; • Increasingly frequent through real estate agencies.
Information search by landlords or tenants (e.g. about salary, outstanding debts)	Not usually performed – no publicly available databases or information
Inspection of the property by tenants (in some cases with the help of professionals)	Yes – landlord or letting agent present; professional assistance for inspection can be retained by potential tenant if landlord agrees.
Delivery of mandatory information to tenants prior to the conclusion of the contract	<ul style="list-style-type: none"> • No specific provisions regarding the relationship between landlord and tenant (general Civil Code provisions apply – articles 1.777 <i>et.seq.</i>); • Specific obligations of information regarding the relationship between real estate agents and consumers (most frequently, tenants) – articles 9⁴ to 9⁶ of the Government Ordinance no. 21/1992 on consumer protection (see Section 5.3., Table 11 above).
Delivery of energy performance certificate to tenant	Not mandatory in the case of renting agreements – not usual
Provision of additional guarantees to landlord	<ul style="list-style-type: none"> • Not mandatory; • Usually the parties agree to a guarantee for potential future damages caused by the tenant or delayed payment, equal to the value of rent for 1-3 months, which is paid upon conclusion of the renting agreement to the landlord.
Conclusion of the contract in the usual form (e.g. oral, written, preformulated)	No formality required for the validity of contract, which is deemed to be concluded as soon as the parties agree upon the property to be rented and the rent (article 1.781 of the Civil Code).

¹³ Explain more precisely to what extent each step is relevant and how the step is performed

Table 13: Main steps of the process to rent and let a property

	<p>However, renting contracts are almost always concluded in writing and may undergo certain publication/notification formalities in order to produce certain legal effects:</p> <ul style="list-style-type: none"> • For opposability of the renting agreement to subsequent owners of the property, the contract must be registered in the land book (article 1811 of the Civil Code); • In order for the contract to be directly enforceable for the payment of the rent, it must be either concluded in writing and registered with the fiscal authorities or concluded in notarized form (article 1798 of the Civil Code).
<p>Rent payment and deposit (e.g. bank account)</p>	<p>Can be made either in cash or by bank transfer, depending on agreement of the parties. Deposit (guarantee) usually required, although not mandatory (see above).</p>
<p>Registration of the contract in the land register (e.g. excluded, optional or mandatory)</p>	<p>Optional - for opposability of the renting agreement to subsequent owners of the property, the contract must be registered in the land book (article 1811 of the Civil Code).</p>

6.2 Rent contract

Table 14: Rent contract				
Main steps	Actors involved per intermediate step	Payment details ¹⁴		Typical risks associated to these steps
		Payments expressed :	When is the payment made	
		<ul style="list-style-type: none"> • In EUR as % of total purchase price <u>and</u> • As a fixed amount if available (add if VAT applies)¹⁵ 		
Finding and matching the parties	Either direct (online/newspaper/in person) or through real estate agencies.	Agency fees – negotiated either at a flat rate or, most frequently, at the value of one month's rent.	Upon conclusion of the renting agreement	<ul style="list-style-type: none"> • Not finding suitable tenants; • Not finding suitable accommodation.
Information search by landlord on tenant (e.g. about salary, outstanding debts)	N/A	N/A	N/A	Non-performance of payment obligations by tenant.
Inspection of the property by tenant (in some cases with the help of professionals)	<ul style="list-style-type: none"> • Landlord (usually) or letting agent; • Tenant (sometimes assisted by a professional – if agreed by the parties). 	Usually flat rate negotiated with the professional assisting in the inspection.	Upon inspection, if that is the case	Careful inventory is necessary

¹⁴ Payment shall be considered as the 'discharge of an obligation by its settlement equal to the monetary value of the debtor's obligation' while fees can be defined as 'a charge for services rendered' (Retrieved from: <http://www.investorwords.com/3634/payment.html>, <http://www.investorwords.com/1922/fee.html>). Payment, therefore, includes both the cost of the service and the fees for the service in question. If a division of the fees per step is not possible or usual, insert: "no separate fee usual" in the relevant table field and indicate the fees at the last step for which they are relevant, e.g. all fees under the heading "contract execution".

¹⁵ Negotiated flat fees are rare and there is no information relating to average fees. The level of the fees varies widely also depending on region and city (usually higher fees in large cities).

Table 14: Rent contract				
Delivery of mandatory information to tenant prior to the conclusion of the contract	N/A	N/A	N/A	N/A
Delivery of energy performance certificate to tenant	N/A	N/A	N/A	N/A
Conclusion of the contract in the usual form (e.g. oral, written; if written, indicate whether preformulated are usual)	<ul style="list-style-type: none"> Landlord and tenant (most frequently, contract is drafted by the parties themselves, with no legal assistance); Most landlords and tenants include basic contractual clauses, relying either on templates available for free online (not provided by a specific authority or institution), or by inserting conditions which they consider important for their specific contractual relationship; This approach is explained mainly by the parties' intention to minimize costs as much as possible and it may result, in many circumstances, in insufficient/unclear contractual provisions which can generate disputes; If real estate agencies intermediate the relationship, a standard form contract is presented to the parties by the 	Included in the fee of the estate agent	N/A	Poorly drafted contract

Table 14: Rent contract

	agent, with little room for amendments.			
Rent payment and deposit (e.g. bank account)	<ul style="list-style-type: none"> Landlord (sometimes real estate agent); Tenant. 	Equal to the value of rent for 1-3 months	Paid upon conclusion of the renting agreement to the landlord	N/A
Registration of the contract in the land register or other device (excluded, optional or mandatory)	<ul style="list-style-type: none"> Landlord (sometimes real estate agent – exceptionally and with a special mandate); Tenant; Registration is not mandatory, but necessary in order to ensure opposability towards future owners of the property. 	Land register fee: RON 60 (~ Eur 14) per registration regarding one property.	Upon registration in the land book	Failure to register the renting agreement in the land book entails risks for the tenant in the case of transfer of property: the renting contract is not opposable to the new owner and need not be maintained in force by the latter.
Other steps	Registration with fiscal authorities of renting contracts concluded in private form or conclusion of renting contracts in notarized (authenticated) form is required in order for the contract to be directly enforceable against the tenant for the unpaid rent and penalties.	<p>Registration with the fiscal authorities is not subject to a fee. Renting contracts concluded under private signature (not authenticated) can be registered with the fiscal authorities without any cost.</p> <p>In order for the renting contract to be directly enforceable against the tenant for the payment of the rent and/or delay penalties, it should be registered with the fiscal authorities (this is a general obligation) or</p>	Upon conclusion of the renting agreement	N/A

Table 14: Rent contract

		<p>concluded in authenticated (notarized) form.</p> <p>Therefore, the registration of the contract with the fiscal authorities is not conditioned by its notarized form.</p> <p>The minimal notary fee for the authentication of a renting agreement is, according to the provisions of Order no. 46/2011 of the Minister of Justice, of 0.3% of the total value of the rent for the entire period of the renting contract, but no less than RON 50 (~ Eur 12).</p>		
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6.3 Professional services performed in the real estate market related to renting and letting a property

Table 15: Professional services performed in the real estate market related to renting and letting a property

Services in the real estate market	Minimum standards for information provided by law, if applicable	Service providers involved	Quality of involvement (e.g. mandatory; exclusive rights)	Fees expressed: • In EUR as % of total purchase price <u>and</u> • As a fixed amount (if available)
Finding and matching landlords and tenants	Specific obligations of information regarding the relationship between real estate agents and consumers (most frequently, tenants) – articles 9 ⁴ to 9 ⁶ of the Government Ordinance no. 21/1992 on consumer protection (see Section 5.3., Table 11 above).	Real estate agents	Optional	<ul style="list-style-type: none"> • Agency fees – negotiated either at a flat rate or, most frequently, at the value of a month's rent; • Level of a month's rent for the same type of property varies widely depending on locality and region of the country; • The level of rent varies widely depending on the region, city as well as on the total rented surface and no information is available with respect to average rent levels.
Information search by landlords or tenants (e.g. about salary, outstanding debts)	No publicly available databases – any search must be in observance of data protection rules.	--	--	--

Table 15: Professional services performed in the real estate market related to renting and letting a property

Inspection of the property by tenants (in some cases with the help of professionals)	<ul style="list-style-type: none"> • Minimum information about the property has to be disclosed to the tenant by the real estate agent (where real estate agents are involved in intermediating the contract) in accordance with articles 9⁴ to 9⁶ of the Government Ordinance no. 21/1992 on consumer protection (see Section 5.3., Table 11 above); • Apart from the above, tenants may inspect the property in the presence of the landlord and even retain the assistance of professionals, if the parties so agree. 	<ul style="list-style-type: none"> • Real estate agents; • Professionals. 	Optional	Negotiated fees for the professional involved.
Delivery of mandatory information to tenants prior to the conclusion of the contract	Minimum information to be disclosed to the tenant by the real estate agent (where real estate agents are involved in intermediating the contract) in accordance with articles 9 ⁴ to 9 ⁶ of the Government Ordinance no. 21/1992 on consumer protection (see Section 5.3., Table 11 above).	Real estate agents	Mandatory information according to the law.	Included in the agent's fee
Conclusion of the contract in the usual form (e.g. oral, written, preformulated)	<ul style="list-style-type: none"> • Almost always concluded in written form, although not mandatory; • May be concluded in notarized (authenticated) form in order to achieve opposability towards future owners of the property – see Section 6.2., Table 14 above. 	<ul style="list-style-type: none"> • Real estate agents; • Notaries public. 	Optional	<ul style="list-style-type: none"> • Notary fees; • For real estate agents – drafting is included in the agent's fee.

Table 15: Professional services performed in the real estate market related to renting and letting a property

Rent payment and deposit (e.g. bank account)	N/A	Landlord (sometimes real estate agent)	Optional	Equal to the value of rent for 1-3 months
Registration of the contract in the land register (e.g. excluded, optional or mandatory)	Not mandatory, but necessary in order to achieve opposability of the contract towards future owners of the property.	--	Optional	Land register fee: RON 60 (~ Eur 14) per registration regarding one property.
Other steps	Registration with fiscal authorities of renting contracts concluded in private form or conclusion of renting contracts in notarized (authenticated) form is required in order for the contract to be directly enforceable against the tenant for the unpaid rent and penalties	--	Optional	Notary fees

7. Professional services regulation: notaries

7.1 Market entry and structure regulation

Table 16: Market entry and structure regulation

	Regulation	
Subjective requirements	<i>Qualifications (diplomas, exams, concours) required to become a notary in the Country:</i>	<p>In order to become a notary public in Romania, a person may follow three possible courses for accession to this legal profession:</p> <p>1. In order to become a trainee notary public, a person must meet the following cumulative conditions (articles 22 and 23 of the Law no. 36/1995):</p> <ul style="list-style-type: none"> • Is a Romanian citizen, a citizen of a member state of the European Union, a citizen of a state pertaining to the European Economic Area or a citizen of the Swiss Confederation and has their domicile or residence in Romania; • Has the full enjoyment of their rights (full legal capacity); • Has obtained a degree in law; • Does not have a criminal record following the perpetration of a work/professional criminal offence or in relation to their work or profession or the perpetration of any other intentional criminal offence; • Has a good reputation; • Knows the Romanian language; • Is medically and psychologically fit to perform the function of notary public – fitness to be attested by medical certificate and psychological opinion; • Has passed the exam or competition for trainee notaries public, which is organised on a yearly basis by the Romanian Notary Institute. <p><u>Note:</u> Trainee notaries public must complete a two-year traineeship under the guidance of a notary public (having at least 6 years of professional experience and a good reputation) and must attend, during this period, the theoretical and practical training provided by the Romanian Notary Institute. After completion of the two-year traineeship, the trainee notary public must pass the exam organised by the Romanian Notary Institute in order to become a “definitive” notary public, enjoying full professional rights.</p>

Table 16: Market entry and structure regulation

		<p>2. In order to become a notary public, a person who has at least 6 years of experience in another profession of legal specialty must satisfy the following cumulative conditions (articles 22 and 27 of the Law no. 36/1995):</p> <ul style="list-style-type: none"> • Is a Romanian citizen, a citizen of a member state of the European Union, a citizen of a state pertaining to the European Economic Area or a citizen of the Swiss Confederation and has their domicile or residence in Romania; • Has the full enjoyment of their rights (full legal capacity); • Has obtained a degree in law; • Does not have a criminal record following the perpetration of a work/professional criminal offence or in relation to their work or profession or the perpetration of any other intentional criminal offence; • Has a good reputation; • Knows the Romanian language; • Is medically and psychologically fit to perform the function of notary public – fitness to be attested by medical certificate and psychological opinion; • Has passed the competition for accession to the profession of notary public, which is organised by the Romanian Notary Institute on a yearly basis. <p>3. A person who has previously held the function of judge within the High Court of Cassation and Justice (“Inalta Curte de Casatie si Justitie”), the supreme court of Romania, may also become a notary public upon request, without the need to pass an exam, based on the provisions of article 32 of the Law no. 36/1995 and article 102 para 2 of the Law no. 303/2004 on the statute of judges and prosecutors.</p>
Objective requirements	<i>Do numerus clauses and other objective requirements exist?</i>	<p>According to the provisions of article 21 <i>et seq.</i> of the Law no. 36/1995, the number of positions of notaries public is limited at national level and is yearly adjusted by the Minister of Justice, upon proposal from the Council of the National Union of Notaries Public of Romania (“Uniunea Națională a Notarilor Publici din România”) - hereinafter, “Council of the Union”, the sole professional organisation of notaries public in Romania.</p> <p>For adjusting the number of positions of notaries public at national level, a basic rule is that of having at least two notaries public carry out their profession within the territorial area of each lower-instance court (“judecătorie”).</p> <p>The criteria taken into account by the Council of the Union when presenting their proposal to the Minister of Justice for adjusting the number of positions of notaries public are, according to article 21 para 4 of the Law no. 36/1995, the following:</p>

Table 16: Market entry and structure regulation

- Proposals received from the Chambers of notaries public (regional professional bodies pertaining to the Union) – which will also take into account, in their turn, the criteria indicated here below;
- The number of notaries public exercising their function;
- the number of trainee notaries public who will attend the exam for “definitive” status;
- The number of requests submitted by judges from the High Court of Cassation and Justice who will be appointed as notaries public without an exam;
- The needs resulting from the expansion of territory and the number of inhabitants of the localities and regions;
- The amount and the type of notary procedures requested by the public;
- The yearly mean (average) of income received by notary offices, for each locality.

Based on the proposals received from the Council of the Union, the Minister of Justice issues, within the first trimester of each year, the orders to adjust each category of positions:

- The number of positions of notaries public to be allocated to the trainee notaries public who will pass the “definitive” exam: according to the Order of the Minister of Justice no. 3560/2016, the number of 2.549 total positions of notaries public (comprising 2.431 notaries public in exercise of their function and 118 notaries public suspended) was increased by a number of 79 positions allocated to the trainee notaries public who would pass the “definitive” exam in 2016. According to the information released by the Romanian Notary Institute in March 2016, out of 74 persons enrolled in the exam, 20 trainee notaries public have either been absent or have failed the definitive exam in 2016, with the resulting difference of 54 persons who have passed the exam;
- The number of positions of notaries public to be allocated to former judges from the High Court of Cassation of and Justice: according to the Order of the Minister of Justice no. 3561/2016, the number of 2.628 total positions of notaries public (comprising 2.431 notaries public in exercise of their function, 118 notaries public suspended and 79 positions allocated to the trainee notaries public who attended the 2016 “definitive” exam) was increased by a number of 5 vacant positions to be allocated to former judges of the High Court of Cassation and Justice;
- The number of positions of notaries public to be allocated to persons who have at least 6 years of experience in other professions of legal specialty and who would pass the

Table 16: Market entry and structure regulation

		<p>competition to become a notary public: according to the Order of the Minister of Justice no. 3561/2016, the number of 2.628 total positions of notaries public (comprising 2.431 notaries public in exercise of their function, 118 notaries public suspended and 79 positions allocated to the trainee notaries public who attended the 2016 “definitive” exam) was increased by a number of 15 vacant positions to be allocated to persons who have at least 6 years of experience in other professions of legal specialty and who would pass the 2016 competition to become a notary public. According to the information released by the Romanian Notary Institute in March 2016, out of 34 persons enrolled in the competition to become notary public under this category, 8 persons have passed.</p> <ul style="list-style-type: none"> The number of positions allocated to the changing of headquarters of notary offices: according to the Order of the Minister of Justice no. 3562/2016, the number of 2.648 total positions of notaries public (comprising 2.431 notaries public in exercise of their function, 118 notaries public suspended, 79 positions allocated to the trainee notaries public who attended the 2016 “definitive” exam, 5 positions allocated to the judges of the High Court of Cassation and Justice and 15 positions allocated to persons having at least 6 years of experience in other professions of legal specialty and who would pass the 2016 competition to become a notary public) was adjusted by a number of 29 positions allocated to the changing of the headquarters of notary offices in 2016. According to the information released by the Romanian Notary Institute in March 2016, out of 8 persons enrolled in the competition for the changing of the headquarters of notary offices, 3 have passed.
Citizenship requirements	<i>Are foreign candidates admitted de iure and also de facto under the same conditions as nationals?</i>	Yes. See the subjective requirements presented above.
Inter-professional cooperation	<i>Are forms of collaboration between notaries and other professionals allowed and usual?</i>	No.

Table 16: Market entry and structure regulation		
Business structure	<i>Are notary associations/corporations allowed?</i>	Yes. According to the provisions of article 19 et seq. of the Law no. 36/1995, notaries public may carry out their activity in notary offices, comprising either one or several associated notaries public (individual office or professional society).
Geographical limitations	<i>Are there limitations with respect to the area in which the notary can exercise his/her activities (e.g. at the regional or municipal level)?</i>	Yes. From a territorial perspective, the competence of the notary public extends over the entire area of jurisdiction of the lower-instance court ("judecatorie") in which the notary public has their office – article 11 of the Law no. 36/1995. The territorial competence of the notaries public who have been appointed in Bucharest extends throughout the entire area of jurisdiction of the Bucharest Tribunal. In order to carry out their professional obligations, the notaries public may also go outside of their office, within the limits of the area of jurisdiction of the lower-instance court in which they carry out their activity.
	<i>Are these limitation restricted to specific tasks?</i>	Task-related limitations are indicated in article 15 of the Law no. 36/1995, concerning such activities as estate (inheritance) proceedings, divorce proceedings, protests concerning bills of exchange, promissory notes and checks etc.

7.2 Market conduct regulation

Table 17: Market conduct regulation

Table 17: Market conduct regulation		
	Regulation	
Exclusive rights	<i>Specify for which transactions or parts of them only notaries may act against payment.</i>	<ul style="list-style-type: none"> • Estate (inheritance) proceedings; • Transactions concerning the transfer of ownership rights and other real rights over immovable property (dwellings and lands) or mortgages; • Donations; • Procedures to authenticate (notarize) certain documents, for which either the law or the parties require the authenticated form (for instance, special powers of attorney).
Duty to provide services	<i>Are notaries allowed to refuse a request to act?</i>	<ul style="list-style-type: none"> • According to the provisions of article 9 of the Law no. 36/1995 and article 3 of the Deontology Code of notaries public of Romania (hereinafter, "Deontology Code"), a notary public shall refuse the conclusion of acts and procedures which are contrary to (or contain clauses contrary to) the law and good morals; • Apart from the duty indicated above, in accordance with the provisions of the Deontology Code, notaries public have a right and a duty to perform acts and procedures, upon request of the parties, with the exceptions prescribed by the law (article 10 of the Deontology Code). They must carry out their activity with impartiality and independence, in the spirit of protecting the law and good morals, without discrimination (see the general principles comprised in article 2 of the Deontology Code).
Professional standards	<i>How are professional standards regulated? What are the tasks of the professional representation (e.g. Chamber of Notaries) in this context?</i>	<p>The National Union of Notaries Public of Romania adopts such professional regulations as the Deontology Code.</p> <p>The National Union of Notaries Public is the sole professional body of notaries public in Romania, which is established by law. According to the provisions of article 52 para. 3 of the Law no. 36/1995, the National Union of Notaries Public accomplishes the following main functions:</p> <ul style="list-style-type: none"> • Strategy functions, by submitting proposals to the Ministry of Justice in order to elaborate policies and regulations in the notary field; • Regulatory functions for the notary activity, by means of specific tertiary legislation, in order to ensure the application of legislation in the notary field and the subsidiary legal framework, in accordance with the adopted strategies; • Representation of notaries public – both internally and at international level; • Guidance, support and control of notaries public, for the correct application of the legal provisions in the notary field;

Table 17: Market conduct regulation

		<ul style="list-style-type: none"> Administration of the professional body's patrimony. <p>Professional bodies also have various attributions in the disciplinary proceedings against notaries public (see the provisions of articles 73 – 76 of the Law no. 36/1995).</p>
Mandatory intervention	<i>Is the intervention of a notary required for the registration procedure?</i>	The intervention of a notary public is required by law for the registration in the land book of the transfer of immovable property (since the sale contract must be concluded in authenticated form and registration is to be carried out by the notary public) and for the registration of mortgage rights (since the mortgage agreement must be concluded in authenticated form and registration is to be carried out by the notary public).
Compulsory indemnity insurance	<i>Is indemnity insurance compulsory? If yes, what is the indicative amount of the insurance? List of the different types of indemnity insurance (if applicable).</i>	<p>Professional indemnity insurance is compulsory, according to the provisions of article 180 <i>et seq.</i> of the Regulation on the application of Law no. 36/1995 on notaries public and notary activity.</p> <p>According to the professional regulations of notaries public (Decision no. 11/2014 of the National Union of Notaries Public), the annual insurance premiums that must be paid by notaries public range between RON 1,000 (~ Eur 225) and RON 6,000 (~ Eur 1,350).</p> <p>The maximum value of the indemnity insurance, according to the same professional regulations, is 40 times the value of the insurance premiums paid by the notary public, without exceeding RON 240,000 (~ Eur 53,350).</p>
Continuing education	<i>Do forms of continuing education exist? If yes, is continuing education mandatory?</i>	<ul style="list-style-type: none"> Yes. Continuing education is mandatory and is carried out by the Romanian Notary Institute; According to professional regulations, the continuing professional education of notaries public is ensured by the Romanian Notary Institute, which organizes professional training courses, conferences and seminars. The Institute is allowed to issue certifications regarding the professional training of notaries public.
Advertising restrictions	<i>Are there limitations on advertising?</i>	Individual, direct advertising is limited by law. However, advertising through professional internet websites and social networks is expressly allowed, under certain conditions – see articles 16 to 18 of the Deontology Code.
Fee regulation	<i>Notarial fee system</i>	<ul style="list-style-type: none"> Notary fees are established by the Council of the National Union of Notaries Public of Romania (Council of the Union) and approved by Order of the Minister of Justice (at present, the applicable notary fees are comprised in the Order of the Minister of Justice no. 46/2011); Minimal notary fees are set by Order of the Minister of Justice either by flat rates (Annex 1 to the Norm adopted by Order of the Minister of Justice no. 46/2011) or by gradual or percentage rates, the latter depending on the value of the transaction (authenticated acts

Table 17: Market conduct regulation

		<p>and other procedures – Annex 2 to the Norm adopted by Order of the Minister of Justice no. 46/2011 – and estate (inheritance) procedures - Annex 3 to the Norm adopted by Order of the Minister of Justice no. 46/2011);</p> <ul style="list-style-type: none"> • Notary fees may be borne by either of the parties to a transaction, as agreed between themselves. However, in the case of a sale contract, usually the purchaser will bear the notary fees.
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8. Professional services regulation: lawyers or other licensed conveyancers (only relevant if legally admitted to perform real estate transactions and/or to assist the conclusion of tenancy agreements)

8.1 Market entry and structure regulation

Table 18: Market entry and structure regulation

	Regulation	
Subjective requirements	<i>Conditions (diplomas, exams, concours) required to become a lawyer in your country.</i>	<p>According to the Romanian law (Law no. 51/1995), in order to become a definitive lawyer, a person must:</p> <ul style="list-style-type: none"> • Be a graduate of a law faculty or hold a PhD title in Law; • Pass the bar exam in order to become a trainee lawyer; • Complete a two-year training period as a trainee lawyer under the supervision of a definitive lawyer; • Pass the final exam for definitive lawyers.
Objective requirements	<i>Do numerus clauses and other objective requirements exist?</i>	No
Citizenship requirements	<i>Are foreign candidates admitted de iure and also de facto under the</i>	Yes

	<i>same conditions as nationals?</i>	
Inter-professional cooperation	<i>Are forms of collaboration between lawyers and other professionals allowed and usual?</i>	No
Business structure	<i>Are lawyer associations/corporations allowed?</i>	<ul style="list-style-type: none"> • Yes. Lawyers are allowed to associate in the so-called professional societies, which are entities distinct from companies/corporations and do not have a legal personality – “societate civila”; • Lawyer corporations do not exist.
Geographical limitations	<i>Are there limitations with respect to the area in which the lawyer can exercise his/her activities (e.g. at the regional or municipal level)?</i>	No.
	<i>Are these limitation restricted to specific tasks?</i>	N/A.

8.2 Market conduct regulation

Table 19: Market conduct regulation

Table 19: Market conduct regulation		
	Regulation	
Exclusive rights	<i>Transactions or parts of them only lawyers may act against payment</i>	None. In Romania, lawyers are not legally admitted to perform real estate transactions. They might assist the parties in the conclusion of real estate transactions, perform preliminary checks upon request of either of the parties or prepare a draft of the sale contract or of the renting contract. The profession of licensed conveyancer does not exist in Romania.
Neutrality	<i>Is the lawyer allowed to act on behalf of both parties involved in the transaction? In this case, what type of fees apply and which party has to bear them?</i>	Lawyers are allowed to act on behalf of both parties involved in the transaction if there is no conflict of interest. Commonly they act on behalf of just one party in a related sale and purchase.
Duty to provide services	<i>Are lawyers allowed to refuse a request to act?</i>	Yes
Professional standards	<i>How are professional standards regulated? What are the tasks of the professional representation (e.g. Chamber of Lawyers/Advocates) in this context?</i>	Discipline is enforced by the National Association of the Romanian Bars. Within each bar, a Disciplinary Committee is organized in order to analyse the disciplinary offences committed by lawyers pertaining to that bar. Disciplinary sanctions consist of: <ul style="list-style-type: none"> • A reprimand; • A warning; • A fine of 500 lei (or 111,1 euro) to 5.000 lei (or 1,111.1 euro); • An interdiction to practice the profession for a period of one month to one year; • Expulsion from the profession.
Compulsory indemnity insurance	<i>Is indemnity insurance compulsory? If yes, what is the indicative amount of the insurance?</i>	Yes. For trainee lawyers, the indicative amount of the insurance is no less than 3.000 euro. For definitive lawyers, the indicative amount of the insurance is no less than 6.000 euro.

Table 19: Market conduct regulation		
Continuing education	<i>Do forms of continuing education exist? If yes, is continuing education mandatory?</i>	Yes. Continuing education is mandatory.
Advertising restrictions	<i>Are there limitations on advertising?</i>	Yes. Lawyers are prohibited from using advertising or publicity means for the purpose of attracting clients. The instances when, and the extent to which a lawyer may inform the public in connection with the practice of his/her profession are very strict.
Fee regulation	<i>Lawyer fee system.</i>	Fees are agreed between the lawyer and the party they represent or offer assistance to. The fees can be hourly fees, flat fees, success fees or a combination of the above.

9. Professional services regulation: estate agents

9.1 Market entry and structure regulation

Table 20: Market entry and structure regulation

	Regulation	
Subjective requirements	<i>Qualifications (level and duration of education and training, diplomas, exams, traineeships or professional experience requirements, concours) required to become an estate agent in your country. Other access requirements for a professional (such as compulsory membership in professional bodies/compulsory registration, minimum age requirements, clean criminal record, etc.)</i>	None. There are no qualifications required to become an estate agent in Romania.
Objective requirements	<i>Do numerus clauses and other objective requirements exist?</i>	N/A
Licence requirements	<i>Are estate agents licenced or do they work as employees?</i>	Usually part of a firm (most often a company), even though working independently is possible under the law.
Citizenship requirements	<i>Is unlimited access to the profession granted to foreign professionals de iure and de facto?</i>	Yes
Inter-professional cooperation	<i>Are estate agents allowed to exercise another profession or business activity? Is inter-professional cooperation regulated?</i>	Yes, estate agents are allowed to exercise another profession or business activity. No, inter-professional cooperation is not regulated.

Table 20: Market entry and structure regulation

<p>Business structure</p>	<ul style="list-style-type: none"> • <i>Indicate the share of estate agent acts acting as sole practitioners and as companies (if data are available)?</i> • <i>Can the agent be employed by another agent or establish a partnership with other agents?</i> • <i>Are there any restrictions on the corporate structure of a real estate enterprise (such as voting rights reserved to qualified members of a profession, shareholding requirements etc.)?</i> 	<ul style="list-style-type: none"> • Not known; • Yes; • No.
<p>Geographical limitations</p>	<ul style="list-style-type: none"> • <i>Are there limitations with respect to the area in which the estate agent can exercise his/her activities (e.g. at the regional or municipal level)?</i> 	<p>No</p>
	<ul style="list-style-type: none"> • <i>Are these limitation restricted to specific tasks?</i> 	<p>See 9.2 below.</p>

9.2 Market conduct regulation

Table 21: Market conduct regulation		
	Regulation	
Neutrality	<i>Is neutrality regulated? Is the agent allowed to act on behalf of both parties involved in the transaction? In this case, what type of fees applies and which party bears these?</i>	No, the agent is allowed to act on behalf of both parties involved in the transaction. Although, the agent is generally employed by the buyer.
Professional standards	<i>How are professional standards regulated? Are entities or associations ensuring the professional representation and respect of rules of good practice (e.g. association of real estate professionals)?</i>	Professional standards are not regulated. There are no entities or associations ensuring the professional representation and respect of rules of good practice.
Compulsory indemnity insurance	<i>Is indemnity insurance compulsory for estate agents? If yes, what is the indicative amount of the insurance?</i>	No
Continuing education	<i>Do forms of continuing education exist? If yes, is continuing education mandatory? What are the requirements related to the content and duration of continuing education? What are the consequences of non-compliance?</i>	No
Advertising restrictions	<i>Are there limitations on advertising?</i>	No
Fee regulation	<i>Are fees limited by statute? Which party is responsible for their payment?</i>	Generally, the real estate agents get a fee of maximum 3% of the price of purchase and sale. Fees are not limited.
Compulsory membership in professional bodies/compulsory registration	<i>Is membership in professional bodies compulsory? If so, what are the membership conditions and the membership fees? Does the professional body have a supervisory or another important regulatory role?</i>	No

10. The real estate market

10.1 Transaction costs for sample transactions

Table 22: Transaction costs VAT excluded

	Estate agent ¹⁶	Technical services	Legal services	Land register fee	Transfer tax/stamp duty	Total usual transfer costs
€100,000 sales price (no mortgage)	Maximum of 3,000 euro (or 13,500 lei)	0 euro	Maximum of 2,862,2 euro (or 12,880 lei)	150 euro (or 675 lei)	0 euro	Maximum of 6,012.2 euro (2,705,49)
€100,000 sales price + 100.000€ mortgage	Maximum of 3,000 euro (or 13,500 lei)	0 euro	Maximum of 2,973,3 euro (or 13,380 lei)	272,2 euro (or 1,225 lei)	0 euro	Maximum of 6,245,5 euro (or 28,104.75 lei)
€250,000 sales price (no mortgage)	Maximum of 7,500 euro (or 33,750 lei)	0 euro	Maximum of 6,262.2 euro (or 28,180 lei)	375 euro (or 1,687.5 lei)	4,500 euro (or 20,250 lei)	Maximum of 18,637.2 euro (or 83,867.84 lei)
€250,000 sales price + 250,000€ mortgage	Maximum of 7,500 euro (or 33,750 lei)	0 euro	Maximum of 6,484.4 euro (or 29,180 lei)	647,2 euro (or 2,912.5 lei)	4,500 euro (or 20,250 lei)	Maximum of 19,131.6 euro (or 86,092.2 lei)
€500,000 sales price (no mortgage)	Maximum of 15,000 euro (or 67,500 lei)	0 euro	Maximum of 17,262,2 euro (or 77,680 lei)	750 euro (or 3,375 lei)	12,000 euro (or 54,000 lei)	Maximum of 45,012.2 euro (or 222,554.9 lei)
€500,000 sales price + €500,000 mortgage	Maximum of 15,000 euro (or 67,500 lei)	0 euro	Maximum of 17,484,4 euro (or 78,680 lei)	1,272,2 euro (or 5,725 lei)	12,000 euro (or 54,000 lei)	Maximum of 45,756.6 euro (or 205,904.7 lei)
%VAT applicable	19%	0%	19%	0%	0%	

¹⁶ An agent usually receives a percentage of the transaction value.

10.2 Transaction features

Table 23: Transaction features			
Transaction / service	Party bearing the costs of intermediation service (buyers or sellers, landlords or tenants) Costs expressed: • In EUR as % of total purchase price <u>and</u> • As a fixed amount (if available)	Indicate fees as expressed in the contract: • In EUR as % of total purchase price <u>and</u> • As a fixed amount (if available)	Possible hidden costs faced by buyers or tenants, if applicable
Estate agents	Buyer	For sole agency typically 2% of selling price	VAT
Technical services	-	-	-
Legal services	Buyer	Scale	VAT, disbursements, registration fees
Land register fees	Buyer	The fee for registering the property equals to 0,15% of the purchase price	-
Taxes on conveyancing	-	VAT on fees	-
Transfer taxes	Seller	If the purchase price is lower than 100,000 euro (or 450,000 lei) there are no transfer taxes. If the purchase price is higher than 100,000 euro (or 450,000 lei) the seller must pay a tax of 3% of the difference between the purchase price and 100,000 euro.	-

10.3 Taxes during the process of buying and selling a property

Table 24: Taxes related to buying and selling a property			
	Relevance of the tax	When to pay the tax as part of the process of buying or selling	Tax amount (expressed in EUR as % of total purchase price <u>and</u> as a fixed amount) if available)
Registration tax¹⁷	No		
Mortgage tax	No		
Cadastral tax	No		
Stamp tax	No		
Transfer tax (tax on the acquisition of property)	Yes	The tax is collected by the public notary upon conclusion of the sale contract. Until the 25th of the month following the month in which the sale has been concluded, the public notary must deliver to the state authorities the tax collected.	If the purchase price is lower than 100,000 euro (or 450,000 lei) there are no transfer taxes. If the purchase price is higher than 100,000 euro (or 450,000 lei) the seller must pay a tax of 3% of the difference between the purchase price and 100,000 euro.
Archives tax	No		

¹⁷ Registration taxes are public levies associated with the registration act. They are not to be confused with registration fees, i.e. the payment required by the registration office to carry out the registration. Registration fees are contained in Table 10.

10.4 Taxes during the process of renting and letting a property

Table 25: Taxes related to renting or letting a property

	Relevance of the tax	When to pay the tax in the process of renting or letting	Tax amount (expressed in EUR as % of total purchase price <u>and</u> as a fixed amount if available)
Registration tax	No		
Stamp tax	No		
Other taxes concerning the use of the property, if applicable	Yes, income tax is paid by the owner of the property (landlord) who gains income from renting operations.	The payment of the tax is made according to the advance tax system.	16% of the net operating income derived from renting or letting.

11. Consumer situation in the market

11.1 Consumer rights

Table 26: Consumer rights		
<p>Are there specific consumer rights in the context of real estate transactions and residential tenancies in your country?</p> <p>In particular: are residential tenants treated as consumers?</p>	<i>With respect to buyers</i>	Information rights relating to the conclusion of intermediary contracts with real estate agents, as provided by Government Ordinance no. 21/1992 on consumer protection – see details in Section 5.3., Table 11 above.
	<i>With respect to sellers</i>	Information rights relating to the conclusion of intermediary contracts with real estate agents, as provided by Government Ordinance no. 21/1992 on consumer protection – see details in Section 5.3., Table 11 above.
	<i>With respect to tenants</i>	Information rights relating to the conclusion of intermediary contracts with real estate agents, as provided by Government Ordinance no. 21/1992 on consumer protection – see details in Section 5.3., Table 11 above.
	<i>With respect to landlords</i>	Information rights relating to the conclusion of intermediary contracts with real estate agents, as provided by Government Ordinance no. 21/1992 on consumer protection – see details in Section 5.3., Table 11 above.
<p>Which existing marketing practices are non-compliant with national consumer legislation?</p>	<ul style="list-style-type: none"> • No access to any relevant information regarding such market practices; • More information may be available from public authorities in the field of consumer protection, but in any case, no data or statistics of this type was made public. 	
<p>Which existing marketing practices are non-compliant with EU consumer legislation?</p>	<ul style="list-style-type: none"> • No access to any relevant information regarding such market practices; • More information may be available from public authorities in the field of consumer protection, but in any case, no data or statistics of this type was made public. 	
<p>Are there existing marketing practices detrimental to consumers, even if not necessarily illegal, in both domestic and cross-border transactions?</p>	<p>In some areas of the country (especially large cities), artificially driving prices up as a result of increased demand.</p>	

11.2 Consumer complaints

Table 27: Consumer complaints¹⁸

How often do buyers and sellers complain due to arising legal issues (e.g. invalid contract, missing information, hidden defects, missing building permit, delay in payment)?

Generally, the arising legal issues, of any nature, are solved in court. There is no detailed information available on the topic.

The table below displays on the left data regarding the nature of disputes in Romanian Courts.

However, statistics do not refer to the specific category of disputes between buyers and sellers, but rather to more general categories of civil litigation (which may include much more varied cases).

Nature of cases	2010	2011	2012	2013	2014	2015
Civil disputes which entered the courts, of which:	1.553.952	1.559.703	1.529.727	1.381.806	1.634.624	1.323.695
Commercial disputes	389,091	342,370	294,262	203,476	175,785	179,283
Actions on person and family rights	119,269	106,095	120,724	108,713	108,489	118,423
Actions on civil rights and obligations coming from civil legal relations	125,211	140,545	137,084	84,624	91,836	99,473
Administrative contentious	100,663	160,002	243,411	193,012	90,976	103,289
Labour disputes	101,709	79,711	79,160	64,576	64,104	59,793
Social insurance	-	-	-	-	16,274	16,725
Other civil disputes	607,145	639,375	552,947	583,186	201,943	138,465

¹⁸ Statistical data on real estate consumer services is limited. Despite the limited availability of data, the validity and quality of the content of the country fiche is not affected.

	Actions on civil rights and obligations coming from civil legal relations	2010	2011	2012	2013	2014	2015
	Successions	21,789	17,783	16,927	15,973	8,588	7,003
	Property right and other real rights	38,595	37,853	41,786	14,404	21,607	24,543
	Actions for evacuation	3,891	3,839	3,943	3,038	3,553	3,418
	Actions derived from unlawful acts	7,481	9,964	9,102	2,351	2,982	2,447
	Disputes on land fond	19,961	18,291	15,295	13,023	19,638	16,020
	<p>Source: http://www.insse.ro/cms/sites/default/files/field/publicatii/anuar_statistic_al_romaniei_2016_format_carte.pdf</p>						
<p>How often do tenants and landlords complain due to arising legal issues (e.g. invalid contract, missing information, increase of rent, termination of the contract without proper notice)?</p>	<p>Generally, the arising legal issues, of any nature, are solved in court. There is no detailed information available on the topic. See the above tables.</p>						

Are consumer complaints against a professional service provider frequent, in particular as regards the fees and quality or service?	No.
To whom can consumers complain (e.g. local or national administration, consumer protection agencies)? And through which means (e.g. formal letter, online form)? Is the procedure effective (in particular: average time needed for reply, solutions available for redress)?	Consumers can complain to the National Authority for Consumer Protection, through a formal letter or an online form. The procedure has a limited efficiency – see tables below.

Further details:

Complaints registered by the National Authority for Consumer Protection in 2015 (most recent available data)

Complaints registered	Complaints solved	% of the complaints solved	Legitimate complaints	% of legitimate complaints
80,841	79,100	98	20,786	26.3

Structure of the complaints registered by the National Authority for Consumer Protection in 2015 (most recent available data)

Complaints registered	Non-food services	Non-food products	Food services	Food products	Financial services	Others
80,841	36,047	22,954	2,611	6,118	9,403	3,707