

**Priority question for written answer P-000395/2023  
to the Commission**

Rule 138

**Rosa Estaràs Ferragut (PPE)**

Subject: Cross-border acquisition of residential properties in the EU

The Treaty on the Functioning of the European Union (TFEU) establishes the general principle of the free movement of capital between Member States. This includes the right of citizens to purchase properties, such as a vacation home or a secondary residence.

Although free movement applies to all Member States, when new countries acceded to the EU, certain transitional periods and exceptions to the free movement of capital were negotiated, which also applied to the purchase of properties, farmland and forest land in specific countries. These exceptions were established in a series of TFEU protocols and in the Acts of Accession of EU Member States.

Article 63 of the Treaty on the Functioning of the European Union requires that all restrictions on the movement of capital between Member States and between Member States and third countries be prohibited, unless such restrictions are necessary for the pursuit of legitimate public interests.

In accordance with these principles:

In the Commission's view, is it possible for Member States to restrict the purchase of dwellings by non-residents?

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