

**Priority question for written answer P-002416/2023
to the Commission**

Rule 138

Christian Sagartz (PPE)

Subject: Sale of FMB Facility Management Burgenland GmbH by Landesimmobilien Burgenland GmbH

At the request of Members of the Burgenland State Assembly, checks have been carried out into the sale of FMB Facility Management Burgenland GmbH by Landesimmobilien Burgenland GmbH, which is owned by the state of Burgenland. The firm was sold for EUR 180 793 to one of its managers. That took place despite the fact that auditors had valued FMB Facility Management Burgenland GmbH at between EUR 346 300 and EUR 733 500.

According to the Court of Auditors, a higher sale price might well have been achieved if matters had been handled speedily and diligently¹.

A legal opinion now confirms that this below-market-value sale constitutes prohibited aid.

1. Does the Commission share the view taken in the legal opinion that this constitutes prohibited aid?
2. What would be the consequences of unlawful aid in this particular case?

Submitted: 11.8.2023

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https://www.rechnungshof.gv.at/rh/home/news/news/news_3/FMB_Facility_Management_Burgenland_GmbH.html