TO
THE SCIENTIFIC JURY

for a competition for the academic position of "Associate Professor" in the professional field 3.6 Law (Civil and Family Law), announced by Sofia University "St. Kliment Ohridski"

OPINION

by Angel Simeonov Kalaydzhiev, Professor at the Faculty of Law, Sofia University "St. Kliment Ohridski", Dr.habil.

1. Information about the competition

According to the announcement by Sofia University "St. Kliment Ohridski" competition for "Associate Professor of Law (Civil and Family Law)" in educational field 3.6, announced in the State Gazette, issue 57 from 26.06.2020, one candidate participates - Ventsislav Lyudmilov Petrov, chief assistant at the Faculty of Law of Sofia University "St. Kliment Ohridski", Department of Civil Law.

The competition was announced for the needs of the Department of Civil Law at the Faculty of Law of Sofia University "St. Kliment Ohridski". I participate in the academic jury according to Order № RD 38-255/06.07.2020 of the Rector of Sofia University.

2. Information about the candidate

Ventsislav Petrov graduated from the Faculty of Law of Sofia University "St. Kliment Ohridski" in 2009. In 2010 he acquired legal capacity after passing a state practice and passing a theoretical and practical exam before a commission from the Ministry of Justice. In 2011 he graduated from the same faculty with a degree in International Relations, a master's program in Private Relations with Cross-Border Consequences in the EU.

3. Fulfillment of the quantitative and qualitative requirements for holding the academic position.

On 20th July 2015, Ventsislav Petrov was awarded the scientific and educational degree "Ph.D. in Law" at the Faculty of Law of Sofia University "St. Kliment Ohridski" in professional field 3.6. Law (Civil and Family Law) after the defense of a dissertation on the topic: "Revocation of the refusal of inheritance by the creditors of the heir."

Ventsislav Petrov is an established scholar in the field of civil and family law. He is the author of two monographs (one of which is his Ph.D. dissertation), thirty-two articles and twenty-one papers presented at scientific conferences after acquiring the academic position of "chief assistant".

For participation in the competition, chief assistant Ventsislav Petrov presented the following works: one monography - "Inheritance of obligations and responsibility for

legacies", Sofia: Siela, 2020, 460 pages and fourteen articles - The modern concept of inheritance of obligations and its connection with the Roman familia - In: Ius Romanum, 2017, No 1, p. 1-10; Objections against the existence of the creditor's right in the proceedings under art. 135 of the Law of the obligations and contracts in the case law. - In: Commercial and Obligation Law Magazine, 2017, № 6, p. 32-39; Active testamentary capacity under the draft Law for persons and support measures. - in: Contemporary Law Magazine, 2017, № 3, p. 25-33; Changes in the regulation of the conditions for marriage according to the draft Law for persons and support measures. - in: Application of constitutional principles in public and private law. Reports of the jubilee international scientific conference "25 years of the Faculty of Law of University of Veliko Tarnovo "St. St. Cyril and Methodius" and 25 years since the adoption of the Constitution of the Republic of Bulgaria. Veliko Tarnovo: University Publishing House "St. St. Cyril and Methodius", 2017, p. 412-241; Once again for *actio rei vindicatio* of a co-owner against non-owner. - in: De Jure, 2018, No 2, p. 169-173; About the legal nature of the claim under art. 30 of the Family Code. - in: Scientific papers of the University of Ruse "Angel Kanchev" for 2017, volume 56, series 7, Legal Sciences, 2017, p. 36-39; About the inheritance community. - in: Property and Law magazine, 2018, No 4, p. 43-50; The need to form a mass from which a preserved part of the estate must be restored. Trends in case law. - In: Property and Law magazine, 2018, No 12, p. 46-51; Location of opening of the estate according to the Bulgarian law in the context of the EU law. - in: Current issues of positive law in the context of the membership of the Republic of Bulgaria in the European Union. Veliko Tarnovo: Faber, p. 119-124; Joint and several liability and separate liability of the heirs for hereditable obligations - short comparative and historical overview. - in: Fundamental and applied researches in practice of leading scientific schools. Volume 28, No. 4, 2018, p. 114-116; Comparison between inheritance and other ways for change of the debtor. - in: Scientific works of the University of Ruse "Angel Kanchev" for 2018, volume 57, book 7, 2018, p. 116-120; The right of inheritance - Roman legal bases. - in: Ius Romanum, 2018, extraordinary issue of Theo Noster, Studia in memoriam Theodori Riperkovi, ISSN 2367-7007, p. 81-89; About the nature of *actio negatoria* as a ownership action and the need to register it. - in: Yearbook of the Sofia University "St. "Kliment Ohridski". Faculty of Law. Volume 86. With: University Publishing House "St. Kliment Ohridski", 2019, p. 257-267; The obligation of the heir, who accepted the inheritance under the benefit of inventory, to give an account. - In: Scientific papers of the University of Ruse "Angel Kanchev" for 2019, volume 58, book 7.1, 2019, p. 114-117.

Ventsislav Petrov is a well-known scientist in Civil and Family Law. Since 01.09.2011 after winning a competitive exam, Ventsislav Petrov has held the academic position of "Assistant" in the Department of Civil Law at the Faculty of Law of Sofia University "St. Kliment Ohridski". From 27.10.2015 and to the present he holds the academic position of "chief assistant" in the same department. He conducts seminars and lead separate lectures on civil law - general part, family and inheritance law, contract law and property law. According to Certificate № 68/20.07.2020, issued by the Secretary of the Department, during the last 3 academic years by decision of the Department Council of the Department of Civil Law and the Faculty Council of the Faculty of Law he had auditorium employment as follows - academic year 2019- 2020 - 570 hours; academic year 2018-2019 - 420 hours; academic year 2017 - 2018 - 570 hours.

According to an academic report of the Dean of the Faculty of Law of Sofia University, chief assistant Ventsislav Petrov participates in the work of the Seminar of Civil and Commercial Law as one of its mentors from 2011 to the present, and since 2014 leads the representative teams of Sofia University in their participation in the two annual national competitions in civil law, and for the last five years the teams led by him have won ten first places.

From 01.09.2016 he holds the academic position of "Assistant" at the Faculty of Law of the University of Veliko Tarnovo "St. St. Cyril and Methodius". From 01.03.2017 and currently he holds the academic position of "Chief assistant" in the same department. He leads a lecture course on Family and inheritance law to Law students in, as well as a lecture course on Family law to students in specialties "Social activities" and "Entrepreneurship in the social sphere"; he conducts seminars on property law for law students too.

He is a member of the General Assembly of Sofia University "St. Kliment Ohridski" and the Committee for Conducting Elections to the General Assembly from 2018 and of the Faculty Council of the Faculty of Law of Sofia University from 2019.

Ventsislav Petrov, Ph.D. was accepted as an individual member of the Union of Scientists in Bulgaria on 05.03.2019. He is a member of the Institute of Private International Law, the Commission on Student Complaints and Challenges of Procedures at the National Agency for Assessment and Accreditation, and the Disciplinary Board of the National Basketball League.

Since 19.01.2011 he has been registered as a lawyer at Sofia Bar Association. He is a lecturer at the Lawyer Training Center named Krastyu Tsonchev. Participates as a lecturer in seminars of the Sofia Bar Association.

4. Compliance with the minimum national requirements for holding the academic position "Associate Professor" in 3.6 Law (Civil and Family Law) according to art. 105, par. 1, p. 4 of PURPNSZADSU.

The Scientific Jury for conducting a competition for the academic position of "Associate Professor" under 3.6. Law (Civil and Family Law), announced in issue 57 of 26.06.2020, with the only candidate - chief assistant Ventsislav Lyudmilov Petrov, Ph.D., evident from point 2 of Protocol № 1 of the jury meeting in connection with the minimum required points by groups of indicators for different scientific degrees and academic positions, settled in the Regulation for applying of the Act for development of academic staff in the Republic of Bulgaria, has adopted a decision that chief assistant Ventsislav Petrov covers the minimum required points for all groups of indicators for different scientific degrees and academic positions, regulated in the Regulation for applying of the Act for development of academic staff in the Republic of Bulgaria: - under letter A - dissertation for awarding educational and scientific degree "Ph.D.", under letter C - habilitation thesis - monography, under letter D - scientific publications, under letter D - citations, and on this basis admitted him to participate in the competition for the position of" Associate Professor" in 3.6 Law (Civil and Family Law).

5. Evaluation of the works submitted for review

5.1. Among the scientific production of the candidate a special place is occupied by the habilitation thesis presented by him - the monography "Inheritance of obligations and responsibility for legacies". The monography is 460 pages long and consists of an

introduction, four chapters and a conclusion. It is an original work containing valuable scientific contributions. The work is the first comprehensive study in the Bulgarian legal literature of the liability of the successors of a deceased natural person to his creditors and legatees. The paper contains a deep analysis of the legal framework, theory and practice of these issues of inheritance law.

The author has critically analyzed all Bulgarian literature devoted to the inheritance of debts and responsibilities for legacies, as well as serious foreign scientific studies - German, French, English, Russian, Serbian and Macedonian. Contemporary theoretical views in this field are discussed in details. The scientific apparatus is rich, and the citation is accurate and correct.

In the habilitation work the author has skillfully combined different methods of scientific research, which is undoubtedly his dignity. The historical, comparative and positivist methods have been used with the greatest success in the research, which is determined by the specifics of its object.

The habilitation thesis contains the following main scientific contributions.

The author's contribution is the unification in a common system of the liability of the successors of a deceased natural person to his creditors and legacies, regardless of the different legal facts of these groups of obligations, as well as the reasoned opinion for this unification - the general rules for satisfaction of creditors of the testator and the legacies, on the one hand, and the competition between them in satisfying by the same property, on the other hand.

Chapter one, which contains a historical and comparative analysis of the inheritance of debt and the comparison of this method with other methods of acquiring of debts, contains the following contribution points.

Undoubtedly contributing is the reasonable conclusion of Ventsislav Petrov that in historical (in view of Roman law) and comparative law (in view of German, French and Bulgarian law) plan the concept of inheritance of the deceased's obligations is the result of the transformation of the understanding that hereditary succession is a continuation of the personality of the deceased, in the concept that the inheritance of debts has a property character, e.g. to the construction of universal succession. The author's contribution is the conclusion that the view of the possibility of inheriting the debts of the deceased has led to the possibility of transferring a debt between living persons.

New and with contributing elements is the author's comparative legal grouping of the legislation into three groups according to their attitude to the inheritance of obligations.

The author's contribution is his reasonable understanding of the legal nature of the inheritance of obligations as a way to change the holder of the obligation in a legal relationship, as well as his conclusion that this is the only way to change the debtor mortis causa.

The consideration of the ways of acquiring obligations as original and derivative has a contributing character (insofar as this division traditionally applies only to the rights). The author's understanding should be perceived that the primary means of acquiring debt are those in which the obligation first arises in the debtor's property (for example in bilateral and unilateral transactions), while the derivative means of acquiring debt are legal facts, in which one existing obligation passes to the patrimony of another (for example, in the case of debt substitution, inheritance of debt, purchase of the inheritance estate, purchase of a commercial enterprise).

The author's contribution is the analysis of the legal fact of debt inheritance, which is different in each of the two systems of acquisition of estate - the system of acceptance (in which the legal fact is three-element) and the system of refusal (in which the legal fact is two-element), as well as its characterization as successive and dynamic. The view that in both systems of inheritance the heir acquires the debts at the time of the opening of the inheritance should be perceived.

Another contribution of the habilitation work is the distinction between debt inheritance and other ways to change the debtor - debt substitution, subjective passive novation, contract for transfer of inheritance, insofar as in the inheritance of debt, unlike other methods, the acquisition of the obligation occurs within the framework of universal succession mortis causa and the obligation passes into the same status in which it was in the patrimony of the deceased.

Chapter two, which examines the specifics of the "hereditability" of the obligation and distinguishes "hereditable" from "transferability", contains the following scientific contributions.

The summary of which obligations are not hereditable has a new and contributing character. The contribution is the author's thesis that in the hypothesis of art. 269 of the Law on Obligations and Contracts the obligations of the contractor under a construction contract are not inherited, but a new construction contract is concluded between the assignor and the heir of the contractor. Contribution is also contained in the conclusion that in case of inheritance of a company share only the property obligations of the deceased partner are inherited, while the non-property obligations for the heirs arise on their own grounds.

The view, that the obligations arising from a legacy, the inheritance tax, the expenses for the funeral of the testator, etc., are not part of the inheritance, should be perceived.

Contributing moments are contained in the argumentation on the dispute whether the obligation under art. 12, par. 2 of the Inheritance Act arises during the life of the testator or arises for his heirs.

Chapter three, which examines the circle of persons taking on the duties of the deceased, contains the following scientific contributions.

The author's conclusion that the heirs of the deceased (by law or will, as well as the state in the hypothesis of article 11 of the Inheritance Act) are the only persons who acquire the obligations of the deceased has a contributing character. Contributing moments are contained in the study of various cases of testamentary dispositions, as it is indicated in which cases it concerns a general and in which - a private succession. The author's contribution is also his conclusion that in a division, made before the death of the testator in the form of a will, the beneficiaries are heirs but not legatees.

The indisputable contribution of the author is his opinion that the only case in which the testators acquire inheritance debts is in a legacy of a totality (of a commercial enterprise or of an inheritance estate). The author's contribution is also his conclusion that a person to whom a right has been bequeathed, encumbered with a mortgage or pledge, does not acquire an obligation from the estate. Another contribution point is contained in the analysis of art. 66, par. 2 of the Inheritance Act and in the conclusion that in this case the legatees do not acquire inheritance debt, but it concerns a material legal preference of a creditor over a legatee, which has his place not in enforcement but in voluntary payment of inheritance debts and legacies. The author's understanding must be perceived that this "privilege" arises only in cases of limited liability of the heir - upon acceptance of the inheritance by benefits of

inventory and upon acquisition by the persons under art. 61, par. 2 of the Inheritance Act. The conclusion that the legatee is personally obliged to the creditor has a contributory nature, as his obligation arises from a legal fact with the following elements: acceptance of the legacy by the legatee; satisfaction of the testator; limited liability of the heir; inability to satisfy the creditor. It should be perceived the conclusion that the legatee has no action against the heir, as he has not paid his debt. The conclusion that the indirect legatee does not fall under the hypothesis of art. 66, par. 2, nor in that of art. 68 of the Inheritance Act.

The new argumentation of the view that against the municipality (in the hypothesis of art. 11 of the Inheritance Act) can be use the right under art. 68 of the Inheritance Act.

Another contribution is contained in the conclusion that regarding the goods the heirs have a right under art. 66, par. 2, and not under art. 68.

The author's view that inheritance debts do not pass on to the buyer of inheritance is also contributing, because he acquires them not directly, but from the heir-seller, therefore his situation is similar to that of a third party who replaces the debtor in the debt.

Chapter four, which examines the consequences of debt inheritance and the occurrence and realization of liability to legatees, reveals the following scientific contributions.

The author's conclusion that the inheritance legal relationship is extinguished upon acceptance of the inheritance and the obligations included in the estate are not an element of its content is of a contributory nature.

Another contribution contained in the work is the author's conclusion that the obligations of the deceased pass to the heirs (and the state) in the same form and content in which they were in the patrimony of the deceased. It is right that changes occur in the parties (the obligated person) and in the emergence of new secures for the testator's creditors, such as the right to request inheritance under art. 67 of the Inheritance Act.

The author's view that the death of the debtor should be settled as a ground for suspending the limitation period is of a contributing nature.

The contribution is also the conclusion that Bulgarian law does not regulate the inheritance of obligations in a size different from the inheritance size of the heir.

The systematization of the cases in which it is possible as a result of an additional legal fact the ideal part of the acquired obligations to increase (due to renunciation of inheritance by another heir or restoration of a reserved part in case of reduction of a universal testamentary disposition) is also contributing.

Another contribution of the author is his conclusion that the increase of shares (including shares of inheritance obligations) in case of renunciation of inheritance has an ex tunc effect, and if the heir has accepted the inheritance before another heir refuses, the increase of the debt occurs from the moment of adoption.

The conclusion that for the creditors of the testator arise additional secures - the right for separation of the estate under art. 67 of the Law, as well as the rights against the legacies under art. 66, par. 2 and art. 68.

The systematization of the cases of limited liability of the heir and of the signs of unlimited and limited liability also have a contributing character.

Another contribution of the author is his thesis that the state is limited liability only in the hypothesis of Art. 11 of the Inheritance Act, but not as a testamentary heir.

It might be shared the thesis that the disposition of art. 61, par. 2 of the Law for the Public Organizations has lost its significance and should be repealed.

The author's contribution is his proposal for amendment of article 34, paragraph 3 of the Municipal Property Act in view of his understanding that the municipality should not be limited liability for inheritance debts as a testamentary heir.

Another scientific contribution is contained in the thesis that when the incapacitated and the partially incapacitated accept the inheritance through implicit actions, they are limited liable.

The new argumentation of the thesis that in accepting by the benefit of inventory the limitation of the liability of the heir is by objects, e.g. that he is liable only with the estate (but not with his personal property up to the amount of the received assets as value). The thesis that the limited heir's liability should be notice not by the court but by the bailiff, because the acceptance by the benefit of inventory does not lead to reduction in the amount of the debt, which means that in case of a lawsuit the court will order the heir to pay the full amount of the debt, and the limited liability will be credited in the enforcement proceedings.

Contributing moments are also revealed by the analysis of the deadline of the separate management of the inheritance from the personal property of the heir - until the expiration of the terms under art. 65, par. 1 or until the full satisfaction of all creditors and legatees.

Scientific contributions are also contained in the thesis that the acceptance of the inheritance by one of the heirs has no effect on the others (article 62 of the Inheritance Act), as well as in the interpretation of this provision proposed by the author, the meaning of which should be that if all heirs have accepted under the benefit of inventory and at the request of one of them an inventory has already been made, this inventory also uses the others.

The new argumentation of the view that according to art. 55 of the Inheritance Act, limited liability arises for concrete rights (to their size, but not by objects), as it is not connected by acceptance by benefit of inventory, but is its alternative and protects the heir who has not accepted by benefit of inventory.

The author's contribution is his thesis that in some cases of restoration of a reserved part from a necessary heir there is a limited liability for legatees (not for the inherited debts), as well as the description of the characteristics of this limited liability.

Another contribution is contained in the thesis that the separation of estate under art. 67 of the Inheritance Act don’t limited the heir's liability, as well as in clarifying the relationship between the acceptance by benefit of inventory and the separation of the estate.

Scientific contribution is in itself the systematization of the guarantees for protection of the rights of creditors and legatees in case of limited liability - the prohibition for transfer of of assets from the estate under art. 65, par. 1; the obligation of the heir accepted by benefit of inventory to involve in the inventory all rights from the estate; the obligation of the heir accepted by benefit of inventory to manage the estate with the care he takes for his own affairs; the obligation of the heir, established in art. 65, par. 2, to give an account for the management of the estate to the creditors and legatees.

Undoubtedly a scientific contribution is the opinion of the author that the legatees are not creditors of the estate, as their rights arise after the opening of the estate and after the acceptance of the legacy, e.g. as a result of a legal fact, which includes a private testamentary disposition, the death of the testator and the acceptance of the legacy.

Another contribution is the analysis of the legal relationship between the heir and the legatee.

The author's thesis that the phrase "invalidity” used in art. 19, par. 1 of the Inheritance Act means “nullity”.

The author's contribution is also his thesis that when the object of the legacy is encumbered with a mortgage or pledge and the legatee lose this property, he haven't a claim against the heir.

There are contributions also in the comparative study of the two systems for liquidation of inheritance debts and the liability to the legatees, called by the author "centralized" and "decentralized", as well as his analysis of the system applied in Bulgaria, according to which creditors and legatees should present their claims to the universal legal successors of the deceased - heirs by law or by will or the state according art. 11 of the Law, without an order and terms, except for the cases under art. 66, par. 1 of the Law and the determination of an order by the testator with an explicit clause in the will.

Contributions are contained in the analysis of the disadvantages of the decentralized system settled in Bulgaria and in the proposal to commute it with a centralized system (a procedure at the district court at the place of opening of the inheritance, in which the heirs accept the inheritance before the court). The author's contribution is also his conclusion about the differences between this system and the procedure regulated in art. 553 of the Civil Procedure Code.

Another contribution of the author is his proposal to eliminate the possibility of accepting an inheritance through implicit actions.

Some recommendations for improving the work could be addressed to the author. As far as the object of the work is the Bulgarian contemporary law, the historical and comparative legal character of the research should not be self-serving, but should be directed only to the analysis of the Bulgarian law and to the possibilities for its improvement.

However, these recommendations in no way change the general assessment that the work is an original scientific work with numerous and important scientific contributions.

5.2. The candidate has submitted fourteen articles for participation in the competition.

The contributory nature of the article "The modern concept of inheritance of obligations and its relationship with the Roman *familia*", published in Ius Romanum, 2017, No 1, p. 1-10, is contained in the author's thesis that the inheritance of an obligation under Roman law can to be explained by the community between the members of the Roman *familia*, in which the sons of the *pater familias* during his lifetime entered as participants in the legal relations between the family and third parties, as well as in the analysis of the transformation of the conception of the continuing of the personality of deceased in the thesis of universal succession.

In the article "Objections against the existence of the creditor's right in the proceedings under Art. 135 of the Law of obligations and contracts in the case law", published in Commercial and Obligation Law, 2017, No. 6, p. 32-39, contributions are revealed in the thesis that in the proceedings on a claim under art. 135 of the Law of obligations and contracts, the court shall assume the objections of the defendant against the existence of the claim of the plaintiff, even without an objectively joined claim for the existence of the claim.

The article "Active testamentary capacity under the draft Law for Individual Persons and Support Measures", published in Contemporary Law, 2017, No. 3, p. 25-33, traces the emergence and development of the requirements for active testamentary capacity, the reasons for their settlement, as well as criticism against the revocation of some of them (absence of full judicial disability and the ability to act reasonably) in the draft Law for Individual

Persons and Support Measures, arguing the need to preserve them, which determines its contribution.

In the article "Amendments in the regulation of the requirements for marriage according to the draft Law on Individual Persons and Support Measures", published in the Application of the Constitutional Principles in Public and Private Law. Scientific papers from the jubilee international scientific conference "25 years of the Faculty of Law of Veliko Tarnovo University “St. Cyril and St. Methodius” and 25 years since the adoption of the Constitution of the Republic of Bulgaria". Veliko Tarnovo: University Publishing House "St. Cyril and St. Methodius", 2017, p. 412-421, traces the emergence and development of some of the obstacles for marriage, as well as the reasons for their settlement. Contributions are also contained in the criticism against the suggestion for revocation of some of these obstacles (full judicial disability and mental illness, which is ground for full diminution of legal capacity) in the draft Law for Individual Persons and Support Measures and argues the need of their preservation.

Scientific contribution in the article "Once again about *actio rei vindicatio* from a co-owner against a non-owner", published in De Jure, 2018, No 2, p. 169-173 is the author's thesis that a co-owner can require the possession of the whole property from a non-owner, as well as his criticism against the thesis that in this case the co-owner can claim only the ideal part of the thing he owns. The arguments based on the legal nature of the claim and of the co-ownership, as well as the teleological interpretation contained in the article, are also of a contributory nature.

Scientific contribution in the article “About the legal nature of the claim under art. 30 of the Family Code”, published in the Collection of Scientific Papers of the University of Ruse“ Angel Kanchev” for 2017, Volume 56, Series 7, Legal Sciences, 2017, p. 36-39, is the criticism against the thesis that if the object of the claim under Art. 30 of the Family Code, respectively under Art. 33, par. 2 of the Family Code, are obligation rights belonging to the other spouse, then the claim is constitutive and the plaintiff will become a co-holder of this obligation right. The contribution is the thesis that the claim under art. 30 of the Family Code (respectively art. 33, par. 2) is always condemnation.

The thesis described in the article "About the inheritance community", published in Property and Law, 2018, No. 4, p. 43-50, about the scope of the inheritance community and about the rights and obligations that are not involved in this community, contains scientific contributions. The author's opinion that an inheritance community arises on the shares, as well as his proposal for settling special procedure for liquidation of the joint ownership over them, is also contributing.

In the article “The need for formation of a property mass for calculating of a preserved part of the estate. Trends in the Court Practice”, published in Property and Law, 2018, No. 12, p. 46-51, is presented an opinion with a contributory nature that the property under art. 31 of the Inheritance Act should be formed as a value in all cases of restoration of a reserved part, except for the cases when the object of the claim is only a universal testament or a donation or testament, which express the whole estate. Another contribution is the opinion that a mass should also be formed when a universal testament is attacked and a donation or testament is made in favor of the plaintiff (a vision which was adopted in the practice of the Supreme Court of Cassation after the publishing of the article).

In the article "Opening of the inheritance according to the Bulgarian law in the context of the EU law", published in the Collection “Current problems of the positive law in the context

of the membership of the Republic of Bulgaria in the European Union". Veliko Tarnovo: Faber, 2018, p. 119-124, the thesis with a contribution character is argued that the interpretation of Art. 1 of the Inheritance Act, according to which "place of living" should be understood as "permanent address", contradicts Regulation 650/2012, as well as the opinion of a contributory nature that the term "place of living" should be understood as "habitual residence".

The article "Joint and several liability and separate liability of the heirs for the obligations of the estate - short comparative and historical overview", published in "Fundamental and applied researches in practice of leading scientific schools". Volume 28, Number 4, 2018, p. 114-116, contains a historical and comparative legal analysis of the two basic conceptions about the liability of the heir to the creditors of the inheritance and the legatees – for joint liability and for separate liability. The author opinion with contributory character is that the separate liability is the more appropriate solution, as it protects not only the interest of the creditors and legatees, but also the rights of the heirs.

In the article "Comparison between inheritance and other ways for substitution of the debtor", published in the Collection "Scientific Papers of the University of Ruse "Angel Kanchev" for 2018, Volume 57, Book 7, 2018, p. 116-120, is made a comparison between the inheritance of a debt and the other methods for transfer of a debt - substitution in debt, subjective passive novation, contract for transfer of estate. The author's contribution is his thesis that universal succession exists only in the inheritance of debt, that this method of acquiring debt is the only one in case of death, and that the debt passes into the patrimony of the new debtor unchanged.

Contributing moments in the article "The right for inheritance - Roman foundations", published in Ius Romanum, 2019, special issue Theo noster, Studia in memoriam Theodori Piperkovi, ISSN 2367-7007, p. 81-89, contains the conclusion that the right for inheritance originated in the Roman law, in the analysis of the way of acquiring of inheritance in different historical periods of the development of Roman law and in relation to the different types of heirs, as well as in the conclusion in which period and in respect of which heirs such a right existed.

In the article "About the nature of *actio negatoria* as a type of ownership claim and the need for its registration", published in the Yearbook of the Sofia University "St. Kliment Ohridski". Faculty of Law. Volume 86. Sofia: University Publishing House "St. Kliment Ohridski", 2019, p. 257-267, sets out the thesis of the need for equal perception of *actio rei vindicatio* and *actio negatoria* due to their similarities and due to their similar legal nature, which only in itself has a contributing character. Scientific contribution is also contained in the conclusion that the proof of the right of ownership or of the other real right is included in the object of the claim under Art. 109 of the Law for the property, as well as the proposal for the registration of this claim in the Land register.

The article "The obligation of the heir, who accepted the inheritance under the benefit of inventory, to give an account", published in the Collection "Scientific Papers of the University of Ruse "Angel Kanchev" for 2019, volume 58, book 7.1, 2019, p. 114-117, contains an analysis with the contributory nature of the obligation of the heir, accepted under the benefit of inventory, for giving an account to the creditors of the inheritance and to the legatees regarding the conditions for the occurrence of the obligation, its content, and the consequences of its breach. The author's contribution is also the proposals for amendments in the legislation in order to settle the right of creditors and legatees to demand an account from

the debtor, as well as in connection with settling a consequence of breach of this obligation - loss of the limited liability of the heir.

6. Conclusion

The scientific papers presented for the competition by chief assistant Ventsislav Petrov, Ph.D. – as the habilitation thesis, as the articles - in terms of quality meet and even exceed the requirements of the Law. They contain numerous valuable scientific contributions. The candidate has demonstrated his ability to formulate and argue his scientific theses. His conclusions are also of great practical importance.

As it was already mentioned, Ventsislav Petrov is a prominent lecturer with a long teaching experience at the Faculty of Law of the Sofia University "St. Kliment Ohridski" and at the University of Veliko Tarnovo "St. Cyril and St. Methodius", loved and respected by both his colleagues and his students.

In view of the mentioned above, I propose confidently Ventsislav Lyudmilov Petrov to be elected for "associate professor" in the professional field 3.6. "Law, specialty" Civil and Family Law" at the Faculty of Law of Sofia University "St. Kliment Ohridski".

Sofia, 11th September 2020. Sincerely, _____

(Angel Kalaydzhiev)