



Buying a property in Spain should be an unproblematic process. However, we would advise you that this is will only be the case if the appropriate steps are taken to ensure all goes smoothly. The majority of foreign buyers find that if they follow the rules and stick to them then the process will run smoothly. Those who cut corners will generally encounter problems.

Once you have decided upon a property to buy, finding an independent solicitor should be a priority. This means using a solicitor who is not linked to a developer or associated with them in any way so they are acting in your best interests and not the interests of others. Obviously if buying a re-sale then this will not be the case. The solicitor will help you through the whole process and we recommend not trying to do it alone. The solicitor will be worth every penny!

The next stage is to do some checks on the property. Although it may look like your ideal purchase, some things could be hidden from the human eye so the legal checks are vital. The solicitor will check that there is no debt associated with the property and ensure all the legal licences are in place and registered correctly. This is normally done by obtaining the Nota Simple and your solicitor should confirm there are no problems with it before proceeding.

The other essential part is to obtain an NIE number. Without this you will not be able to purchase any property and is a fiscal number which everyone needs to purchase a

property in Spain. If two people are buying then separate NIE numbers need to be applied for and the process takes around 15 days.

When you are happy there are no problems with the property / land then you will have to reserve the property you will have to make a deposit of €3,000 (normally) to secure it. When making the payment it is important for your solicitor to check that the contract is correct and I would always advise putting a clause in there stating that the deposit will be returned should the mortgage application be declined (if you are having a mortgage).

At the same time as the payment is made, the pre-agreement will be arranged. This is sometimes referred to as the contrato de compra-venta, and it establishes the terms of the sale. It is an official agreement until the public deed of purchase is ready, and again should be overseen by your solicitor. A 10% deposit is then usually required, which will be lost if you then back out of the agreement.

When the property is ready to be sold, the process is completed with the help of a notary. All parties should meet up on a particular date, where the final payment is then made and the contract is signed by all parties. If all conditions in the contract have been fulfilled then the public notary will then sign the deeds. At this stage the insurances and the transfer of utility services will be switched into your name.

After this, you will have to arrange the land registry entries and tax issues. You will be required to pay transfer tax and stamp tax, and we strongly advise that your solicitor fully oversees this to avoid any mistakes.

Buyers in Spain can normally only get a mortgage up to around 70/80% of the purchase price (although from some banks the lending is higher). It is therefore essential you can produce the rest of the money up-front. I would advise speaking to a mortgage broker first so they can let you know how much you can borrow depending on your income details.

There are additional fees involved when buying a property in Spain and these generally account for an additional 12-13% of the purchase price (depending on whether you are having a mortgage). This includes IVA (VAT), Notary fees, Legal fees, Land Registry fees, Transfer Tax, Mortgage fees (if applicable).