



YOUR GUIDE TO THE LEGAL PROCESS



THE LEGAL PROCESS

Once you have found a property in Spain, we would always recommend seeking professional legal advice to ensure your property purchase is safe and the required checks have been undertaken.

Sequire International work with a number of reputable firms who can provide independent legal advice when buying property and can help keep the purchase process as smooth as possible.

Here are some of the key steps to the legal purchasing process in Spain:

The Spanish property conveyancing process is different to the British system.

It's strongly recommended that you seek advice from a specialised Spanish property lawyer who will be able to advise you on Spanish land law issues, known as urbanismo.

It is also wise to get any legal documentation and contracts translated by a professional independent translator. The Spanish Ministry for Foreign Affairs has a list of recommended translators and interpreters.



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A. THE DEPOSIT

Typically, to remove a property from the open market, a deposit of between €3,000 to €6,000 must be paid. This amount varies depending on both the property and the location.

Solicitors and the relevant legal professionals will always provide you with best practice advice on how to do this and how to keep your money as safe as possible.

B. DUE DILIGENCE

Once the deposit has been received, Sequire International will provide the contact details of the relevant lawyer who will notify the correct parties of their representation. After this, the following documentation will need to be provided:

1. Public Title Deed of Purchase;
2. Invoices corresponding to the Municipality Tax and Waste Collection Tax;
3. Electricity and Water Supply invoices;
4. Contact details of the Community of Property Owners.

Once this documentation has been received by the solicitors, they will proceed to carry out their main task, which is the due diligence by which they verify all of the aspects related to the property, which are:

1. Ownership
2. Possible debts the property may have with the Town Hall, Community of Property Owners or the utility supply contracts
3. Charges or encumbrances currently levying the property
4. Urban situation
5. Utility supply contracts

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C. PRIVATE CONTRACTS

Once due diligence is completed and everything is in order, the preparation of the private contract for the payment will begin.

The private contract is a very important step in every purchase, as it will set the conditions of the purchase. This is the main reason why we work with only the best legal firms who can carry out all the necessary negotiations with the vendors in order to defend your interests.

D. PUBLIC DEED OF PURCHASE

After the signing of the private contract, which is usually a timescale of around 3-4 weeks depending on the conditions agreed with the vendors, the public deed of purchase will be signed by you with a solicitor's assistance.

E. TAXES AND COMMUNITY FEES

Solicitors can also assist by opening a bank account and arranging the water and electricity supply contracts.

They can also assist with organising direct debits from the opened bank account for the payment of utility supplies, municipality tax, bins and waste collection and the Community of Property Owners fees.

F. OTHER ARRANGEMENTS

Finally, your appointed lawyers will also arrange to obtain your NIE number (which is necessary to purchase a property in Spain) and provide you with any further legal advice you need right up until the property completion.

GET IN CONTACT

Sequire International

Sequire International work with a number of professional legal agents and we can recommend the best English-speaking Spanish lawyers who can assist you from beginning to end.

If you would like further information, or are seeking professional legal advice for your overseas purchase, speak to Sequire International today on 0800 011 2639.





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