

Buying Your Property in Spain



Practical Steps for Anyone considering Purchasing Property in Spain

A Free Guide

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Buying a Property in Spain

(Explaining the advantages of using a Professional Property Finding service.)

This guide is written and published

by

Search & Survey SL.

A team of Architects, Lawyers, Professional Property Finders and other specialists, with more than 20 years experience working to protect your interests when buying Spanish Property.



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To accompany this download you may like to receive a *Free* copy by post of the Guide to Buying Property Overseas, written by John Howell (Author of 'The Sunday Times' Guides) Follow the link below for more information. [Click here](#)

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Introduction

Deciding that you want to expand your horizons and find your own place in the sun is an exciting time. We can all imagine perfect days with our family and friends in our own beautiful surroundings. All this can be made to come true, and at the same time your investment can appreciate year by year.

Don't get carried away on impulse

There are some people who simply fall in love with a house or a plot of land and buy it. No legal advice, no structural survey, no planning, no checks of any kind. Most of us would not dream of acting on such a whim at home, but a surprising number of people come to Spain and get carried away on an impulse which later down the line works out to be an expensive mistake. Quite a high percentage are lucky and get away with it, however some are less lucky. These are the disaster stories you read in the press and watch on TV.



Needless to say, taking some simple precautions makes sense. By spending time becoming familiar with how business is done beforehand is likely to save you future heartache and possibly sleepless nights. So much material is now available to help you, and doing the research and homework can be great fun.



The Harbour Ibiza

This guide covers the most important issues you need to consider when buying a property in Spain and how you can minimise many of the risks associated with investing money in a foreign country. Along the way, you will wonder whether you are doing the right thing, and agonise over decisions. This is a natural process for anyone making a big commitment and an important part of thinking through the whole process.

Every country has its different laws and customs, and understanding some of this background will help you know what to expect and how to avoid simple pitfalls. Consumer protection is not as developed in Spain as in many other EU countries – so making the right decisions right from the start, will help you successfully achieve your dream of owning a home in one of the most beautiful countries in the world.

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Buying in Spain

With its growing influence and stature in the European Union, Spain's fast growing economy has an enormous amount to offer the property investor.

Traditionally known as the haven for sun-worshippers, golf players, and late night partygoers; Spain is increasingly recognised as a hugely diverse and vibrant country with much to offer a variety of interests.

In many respects Spain has spent the last 30 years making up for lost time under the isolated and repressive Franco regime, becoming a progressive modern economy in a remarkably short space of time. From the early days of budget tourism – visitors now come to see a very different country with many wanting to discover the real Spain with all its fascinating cultural wealth and intrigue.

Since joining the European Union, Spain has benefited from significant inward investment to develop infrastructure and to support the preservation of its cultural heritage. Anyone visiting the country will marvel at the brand new airports, uncongested highways and on-going civic and environmental improvements. Spanish cities are recognised as up there with the leading cities in Europe and indeed the world. In the last decade Barcelona hosted the Olympic Games, Madrid was voted European City of Culture, Seville hosted the World Expo, and Bilbao opened the dazzling Guggenheim Museum. Spain has 36 UNESCO world heritage sites, more than any other country in the world.

What many find the most endearing quality of Spain is the genuine welcome they receive from Spanish

people. The Spanish are refreshingly open minded, tolerant, and patient to anyone unfamiliar with their country. Compared with many other Europeans the Spanish have an optimistic perspective, aspiring to improve their lot and a tendency to embrace new opportunity.

For the investor Spain offers good value for money, both for what your capital investment will buy and the low cost of living. There is a wide range of properties available to suite all tastes, and over the last few years the returns reflect the fact that Spain is one of the fastest growing economies in the world.

Anyone thinking of starting a business only has to see how many foreign nationals have made a success of living and operating a business in Spain. Equally there is a small business community in almost every town with an international flavour, offering their respective range of products and services locally and across Europe. More and more young people are moving to make their permanent home in Spain, and their common zest and enthusiasm for life is unmistakable.

With the introductions of the single currency, the increased number of flights from budget airlines and the improved communications with the Internet, there has never been a better time to enjoy the benefits of owning a property in such a beautiful country with all it has to offer weary, overworked, sun starved northern Europeans.

Preliminary Considerations

The decision to buying a property in Spain is something very personal and it depends on a multitude of factors.

Some people arrive with little or no idea of exactly what they are looking for. They tend to drift from agent to agent until almost inevitably they find themselves caught up in a deal which, had they thought it through previously and not allowed themselves to be influenced by the sun, the ambience and a highly skilled sales person; would never have dreamed of entering into.

It is very important, before jumping in with both feet, to consider seriously what you hope to achieve, and when you hope to achieve it. It is not worth spending too much time going around properties until you know what you are

looking for, and you and your partner agree on some of the basic issues. A little forward planning will give you a clearer idea of what you want, where you want it, and what you can afford. It will also save you an awful lot of time and wasted effort.

Action Point:

Clarify in your own mind what you are looking for and when you expect buy before you start looking.

Asking yourself the following questions **Where? – What? – When? – Budget?** In the next section we consider these four questions in more detail and give an example of a preliminary plan.



Where - Choosing an Area in Spain

The preference of most people investing in property in Spain is to have access to the coast and to be within an hour or so of a major airport.

For maps, travel guides of Spain please [click here](#).

Southern Spain

Benefiting from all year round sunshine, the area we all used to know as the Costa del Sol is slowly being re-branded as Andalusia. Development on the coast is becoming saturated and investors have to look increasing inland to avoid the high prices. Andalusia was the last stronghold of the Moors and evokes romantic images similar to those of Provence in France and Tuscany in Italy. Most visitors pass via Malaga airport to the resorts to the west where tastes from the most extravagant to the most cost conscious are catered for.



Palms of Elche

To the east of Malaga, resorts tend to be more Spanish and on less of a grand scale. Inland the ancient towns of Granada, Rhonda, Seville and Jerez are a must to anyone interested in Spanish history. The Sierra Nevada is known for its beauty and the ability to enjoy both skiing and the beach in the same day! Enjoying a recent resurgent is

Flamenco music and dancing, and the Spanish love of horses is also very strong in this region. Tarifa, west of Gibraltar has become very fashionable, although these resorts on the Atlantic coast are prone to strong winds, hence their original popularity with windsurfers and other water sports. Southern Spain is popular with sun worshippers, but temperatures in the summer can be excessive for someone used to a northern climate.

Northern Spain

Although there are a huge variety of landscapes in the north, this area is probably the least popular for visitors settling in Spain, as access to most of the coastline is limited from the main airport in Bilbao. If you have the time to explore this coastline you can trek the ancient pilgrim trails of Santiago di Compostella in the west, climb the Picos de Europa Mountains and enjoy the cosmopolitan cities of Santander, Bilbao and San Sebastian. The Basque people retain their strong regional identity, with their language and customs, including the infamous annual fiesta at Pampolona where the bulls run through the streets each morning. Those with a taste for wine will enjoy the Rioja and Navarra regions and even some of the locally produced ciders. The countryside tends to be greener than that the rest of Spain as it is susceptible to Atlantic weather patterns with its fair share of rain.

For maps, travel guides of Spain please [click here](#).

The Balearic Islands

The only major airport in the Balearics is Palma, so the beautiful island of Majorca is the most practical place to invest. Although there is a reputation for the worst aspects of mass tourism, these areas are restricted (as in much of the Spain) to concentrated areas, namely Palma Bay and Palma Nova leaving the unspoilt atmosphere in the rest of the island untouched. Majorca historically was central a central player in the Mediterranean economy but lost influence as the Americas became more important.

Ironically, it was still a backwater until recently, but tourism has now given the islanders the highest disposable income in the whole of Spain. The landscape is diverse with green fertile plains, forested mountains and access to the coast is easy from anywhere on the island. The island is also known as a wealthy celebrity playground for the likes of Boris Becker, Claudia Schiffer, Michael Douglas and Catherine Zeta-Jones – the size of Palma marina has to be seen to be believed! On the downside, the island can suffer from the cold Sirocco winds in the winter, and both living costs and property prices are significantly higher than elsewhere in Spain.

Eastern Spain

The Costa Brava and Costa Blanca are the most well know coastlines each with their specific characteristics.

The Costa Brava has some beautiful big bays and many tiny coves in a very rugged coastline, somewhat similar to Cornwall. The prices in the smart areas are driven by the wealthy of Spain's most commercially dynamic city, Barcelona. Even with a weak Euro, this makes finding something special quite difficult as families who have grown up in the area and visit their retreats every weekend will

always have a head start. There are a number of resorts catering for package tourists and some that have good facilities for campers. The international community tends to be based around Barcelona, although there are many villas used as holiday homes along the coastline owned by non-nationals. During winter months penetrating cold winds can blow down from the Pyrenees Mountains.

The Costa Blanca is a 200km stretch of coast that it can be broken into the north and south. South of Alicante airport towards Murcia has enjoyed enormous development from almost nowhere in the last 10 years. Numerous new developments have made this one of the fastest growing tourist areas in Spain. The coastline consists of open sandy beaches but the landscape tends to be quite arid as it has the higher temperatures and is in the rain shadow of the rest of the country.

To the north is the biggest resort in Spain with its huge bay of white sand, Benidorm which caters for 3.8 million visitors a year, possibly is the closest Europe gets to Las Vegas. The area offers a great range of entertainment with a number of theme parks and big shows.

The Costa Blanca North

Further north is an area named by the World Health Organisation in 1981 as having the healthiest climate in the world. It has a number of attractive resorts and a variety of coves and beaches, and is popular with many moving to Spain permanently.

The microclimate from the surrounding sea eases the heat at the height of summer and provides milder winters.



There is still low rainfall but the area benefits from the water from the nearby mountains, providing a greener landscape similar to Majorca. Inland is the beautiful Jalon Valley, famous for its almond blossoms and rich in agriculture, and there are many orange groves with their intoxicating blossoms. Within one hour's drive of both Valencia and Alicante airports, and without the pressures to cater for package tourism this is the prettiest area on the coast and offers a wide scope for property investment at a sensible price.

School Age Children in Spain

The Spanish adore children, and as a whole have very deeply held traditional family values. The family is the most important unit, and children are the valued and cherished offspring that play a central role. Anyone who has spent time as a child in Spain will have fond memories of friendships with gardeners or waiters, whilst your own set of grown ups were busy elsewhere. Children enjoy a wonderful freedom in Spain without many of the threats they seem to face in the UK. They will prefer playing outside rather than watching TV, enjoy being treated as equals in restaurants no matter what time of night it is, and grow up with the self esteem that comes of belonging to a community.

Anyone with a view to, or looking to move permanently to Spain with school age children need to do their homework regarding schools. Spanish is taught in all schools, but local schools do not necessarily use Castilian as their first language, (i.e. Spanish) – in a similar way some Welsh schools do not teach in English. Regional languages such as Catalan, Galician, Valenciana and Basque are widely spoken and are used in schools in those areas. There are an increasing number of private British and American style international schools in areas with large ex-pat communities. These will have a similar curriculum to what your children are already used to. They will have a mix of pupils from many nationalities, including Spanish children. Wherever you choose, children have an amazing ability to soak up the languages used around them so they will quickly master Spanish and what other languages they are exposure to.

If your children's education is a concern, then it will be a primary consideration in choosing where you will live. Search and Survey can offer further information on schools, if required.

What – Deciding on the Type of Property

Establish as far as possible exactly what you are looking for. Is it a new property or a second hand property? Will it be a holiday apartment that you will rent out for a good yield with low maintenance costs?

Do you want to have the special qualities to make a home where you will live permanently? Maybe you want somewhere that will start as a

holiday home, but could be a more permanent home at some later date.

The Alhambra



Do you want a swimming pool? How many bedrooms would you like? How far do you want to be from the beach, shops, restaurants and bars, etc.? What types of views, aspect, and level of privacy would you like?

All these questions depend on your initial budget, how you are going to use the property in the short and long-term, what level of maintenance or rental yield you expect, and whether the property has the unique aspects to make it a good investment.



Buying New Property

There is a multi-billion euro business selling new developments in Spain ranging from local builders to multinational companies. They all tend to be competing to for your attention in terms of advertising and exhibitions, backed-up with slick salespeople working on commissions. For many, being spoon fed by a single company with free inspection trips is an easy way to be led through the process of buying a property.

On the other hand any homework you do your self will pay dividends. For example, it is not in a single developer's interest to show you the wide variety of properties available – only those within their own development; you will have little idea as to what is good value in terms of the local market, and any legal representation provided will not necessarily be independently acting entirely in your interests. Then there are the more serious issues whether the final property is what you expected when complete and whether the company has the financial solvency to survive any economic difficulties after taking your deposit.



Needless to say there are really good developers and ones that leave much to be desired. Unfortunately, there is nothing in their advertising, marketing, or salespeople that will give you much of an idea on how well the company is run. Only their track record and local knowledge can tell you the good from the bad.

Buying a new home is a great way of having your own ideas reflected in the design and layout of your dream property. Maintenance will be minimal for the first few years, and all the new features will be clean and Modern. It is worth noting that however exclusive the scheme may be when you buy, more similar new homes could well be built in the future, and possibly interrupt your views and produce noisy construction equipment during your holiday (as the building of your property may do for others).



If you have a budget of above 300,000 Euros then it could be worth looking into finding a plot where you are not obligated to build with the developer and go through the design process with an independent architect who will also manage your project. This gives you much better control over the builders, can work out cheaper and allows you to specify your own creation. Visit www.thelandregister.com to learn how you can have exactly what you want using an independent architect.

What to Look For when Buying a Second Hand Property

With all the development over the last 20-30 years the resale market has become increasingly buoyant as people move on. The range of property available will match almost any pocket, and the build quality finishes, location and the local market conditions will determine the price.

You can spend ages scouring through the endless options, so establishing your area before you start looking is probably the single most important decision that will save you much wasted effort.

The size of the plot and the area of the building are given in square meters, allowing you to distinguish between small and large properties with the same number of bedrooms and bathrooms. The only way to really understand these figures is to see a few examples yourself and learn what sort of size will suit your needs.

Seeing the properties yourself enables you to assess whether they have the magic qualities you want. Some of the features may not be to your taste – but then with a little imagination you may

be able to transform something that has potential into a personal oasis.

Architecture, gardens, views and swimming pools are all important elements, providing the special qualities to that will enhance your investment and the enjoyment of your property. One of the most time saving and useful services provided by **Search and Survey** is the planned **Viewing Schedule**. Here we prepare an itinerary specifically tailored to meet individual criteria. It is carefully organized in a logical order ensuring an optimal number of properties are compared over a period of just a few days. Simply tell us your requirements and we will, using the resources of the Spanish Property Register (SPR has over 8,000 properties listed) arrange an itinerary for you.

- *You are protected from unscrupulous agents and over-enthusiastic sales people.*
- *You view only properties meeting your criteria.*
- *You view only properties within your budget limitations.*
- *You compare properties stored in a massive Spanish Property Database, not just a few agent's portfolios.*

Using the services of Professional Property Finders like Search and Survey has many advantages not least of which is to save you money on conveyancing costs. During the purchasing stage the agent is charged an introduction fee by Search and Survey – this is used to pay towards your structural survey, valuation, legal, planning reports, etc. Follow the link below to the Spanish Property Register; complete the simple registration form which will enable us to begin the process. Once we have established your basic criteria we will send details of a number of properties for you to assess, rate and comment on. This exercise helps us to understand your precise likes and dislikes and allows us to refine the search until we arrive at a final viewing schedule.

www.thespanishpropertyregister.com

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When – What Timeframe are you looking to Buy?

This will be one of the first questions you will be asked when discussing buying a property. If you plan to buy your property within the next six months then now is the time to start looking at individual properties in the area you have chosen.

If it is going to be more than six months, concentrate on finding the best general area and checkout the amenities rather than seeking out individual properties. If you're not ready to buy then don't waste your own and others time. Agents will tend to remember you, so be open with them so that they will invest the time to help you when you need them – otherwise you might risk being persuaded into doing something before you are ready. If you need to raise finance, it is a good time for looking into these options too.

Budget – Calculating how much to spend and what you can afford

It is pretty obvious you need to know how much you have to spend, how much you can afford and whether or not you need to arrange a mortgage. If this is likely to be a requirement then it would be wise to arrange this, at least in principle before you go too far. If you need help raising funds then Search and Survey has a full time mortgage advisor working with a range of providers.

When you have considered carefully all the points described above you should be confidently able to complete the essential elements of the preliminary plan:

The Preliminary Plan

<u>WHERE:</u>	<i>Within 20 minutes of Lady Elizabeth School, Within 30 minutes of Moraira</i>
<u>WHAT:</u>	<i>2/3 Bedroom villa with pool and sea view</i>
<u>WHEN:</u>	<i>Ready to move in June 2004</i>
<u>BUDGET:</u>	<i>Maximum price 300,000€</i>

Other requirements:

*Near to shops
Winter sun (very important),
Close to the Pub.
Must be in a quiet area,
Must have double garage, one for the Jag and the other for the Jeep.
Not too many steps for John's bad knees,
Etc Etc..*

Searching Out an Individual Property

You have made your Preliminary Plan, found your area and have six months to find your property. Now is the time to make contact with the people on the ground that are going to help you find it.

Most people have a two-week window to visit as many agents as possible, visit a range of properties, and also take some kind of break during their holiday. Needless to say, summer is not a good time to look for property as the holiday season will be at its peak, many agents will be away and the heat can be too much to have a busy schedule.



If you have researched your area over the Internet, you will have found a number of agents allowing you to set-up your first few days with meetings. Looking around the area again you will come across more agents. As you become more familiar with the properties available you will notice the same property coming up time and

again with different agents, often at different prices.

Let the Buyer Beware! The Real Estate Business in Spain is totally unregulated.

The estate agency market is not the same in the UK where there is a formal arrangement between the vendor and the agent. In Spain this practise of multi-listing is commonplace and agents can market a property without any contact with the vendor. If they generate interest leading to a sale they arrange to split the commission with the original agent who is working with the vendor. Agent's fees typically are between 5% to 10% or more of the property value. It is not illegal for the agent to mark up the price of the property to the purchaser, and take the difference of what the vendor will accept and the buyer will pay!

With anyone able to practise as an agent the system is open to abuse, as agents do not need to be regulated at all. Some background is useful to understand how careful you need to be with whom you are dealing.

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Real Estate Agents

Only until a few years ago it was illegal for anyone to sell real estate unless he or she had an official Real Estate agents title and belonged to the association of real estate agents in Spain. Titles were difficult to come by, only university graduates who had taken a formal course, or other professional people such as lawyers or architects were able to join this elite body of accredited specialists.

All of whom have had to pass an exam, held every 4/6 years, in order to receive their diploma. These professional people are known as API's, (*API = Agente de la Propiedad Inmobiliaria.*) They are governed by a code of conduct and have professional indemnity insurance to cover any kind of errors or improper practices.

As Spain gradually became fully integrated into the European community, more and more foreigners arrived from other parts of Europe. Pressure was brought to bear in the European courts until eventually a few years ago the restrictions to buy and sell property were abolished to the extent that anyone can be an estate agent, no university degree, and no training, in fact "no previous experience necessary"!

There are now literally thousands of estate agents all trying to corner their own little slice of the market. Always bear in mind that the Agent is being paid by the vendor to sell the property. He relies on you to buy; if you don't buy it he won't get his commission. It follows that any advice he gives you is not independent, and therefore you should think about arranging professional assistance to protect your interests.

The problem you face as a buyer in any new environment, is that you need to know that the information you are receiving is trustworthy and reliable. Unfortunately, as far as any unscrupulous agent is concerned, they could persuade you to do something that is not in your best interest, so it is best to be cautious.

Warning:
Whichever selling agent you use, whichever property you decide to purchase do not sign or agree to anything without taking *independent* professional advice.

With the time constraints that you face, you may feel under pressure to make a decision. In which case, you may be tempted to go for the easiest decision rather than the wisest. Remember, if something is too good to be true – it usually is. It is better to delay your purchase rather than make a bad decision. Finding someone to help you during this period could mean the difference between making a good or a bad decision.

Seeking Professional Advice

There are many services that offer professional advice from lawyers, financial consultants, and property consultants. Each has something different to offer and you need to be sure that they are qualified and competent, for you to build a valuable rapport with them.

If you are short of time, there are services that will filter out the properties that are not suitable saving you much time. Agents have a tendency to show you what they have on their books rather than listening to what you want to buy.



Making important decisions in an unfamiliar environment where large amounts of money are involved should be handled as carefully as possible. The help of someone who understands the local mechanisms and customs can make the whole process much easier and safer.

Search and Survey SL

(Owns and maintains two major web resources namely - The Spanish Property Register and The land Register)

Search and Survey ensures that you explore all the possibilities when buying a property in Spain.

Anyone familiar with purchasing property in the UK will understand the processes that are in place to safeguard the purchaser. When dealing in a foreign country, a different currency, where there is less consumer protection these become increasingly important. The Spanish property market is different, and many people coming to Spain are not aware of the potential pitfalls. By the time a problem comes to the surface, it is too late – this is when getting carried away and making a bad decision proves all too expensive and becomes potentially disastrous.

Search and Survey covers the three main areas you need to explore before making any commitment:

1. Searching the widest range of property to find matching criteria.
2. Legal services and local searches beyond anything usually available.
3. Certified structural surveys and independent valuations.

Search and Survey will save you time and money, and give you the peace of mind that your investment has been thoroughly researched. No what you are buying before you buy or commit to a binding contract.

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Why use a professional property finding service?

The Search and Survey process. – A smart way to buy Spanish Property.

With so many Spanish estate agents and thousands of web pages advertising properties you may wonder why you need help to find a property. Well of course the answer is you can do it all yourself if you have the time and some knowledge of how the market in Spain works. However using Search and Survey to assist you finding a property has many, many advantages, and high on the list of these advantages are the huge savings clients achieve by using the service.

Remember, an estate agent has only one interest in mind and that is to sell you a property and earn his commission. To do this he has to somehow find purchasers - this is where Search and Survey come in to the picture.

This is how the system works:

Agents and vendors advertise their properties on the Spanish Property Register website, without charge. (A high ranking well respected website.)

Buyers looking for properties in Spain see the website and engage the services of Search and Survey to help find a suitable property.

Once all the research is completed, our clients view the short list of properties usually with a number of different agents. If a sale is reached then Search and Survey charge the selling agent a fee which includes:

- *Advertising the property on the web.*
- *For introducing a buyer.*
- *Contribution towards the buyer's conveyancing costs.*

The seller is happy because he has made a sale.

The buyer is happy because he has at least 2,000€ back from the agent towards his conveyancing costs.

Saving money is always an important consideration but you will learn that there are many other compelling and equally important reasons for using Search and Survey's unique system. The overall aim is to ensure the buyer knows everything there is to know about the property BEFORE – he commits to a contract or deposits any money.

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Finding the Right Property

Using **The Spanish Property Register's** massive database we will scan all the properties on the market to match the requirements of the client. The client then receives these via email and has the opportunity to select from a shortlist of properties they consider appropriate.

Initial search criteria would include:

1. Budget.
2. Size of property required.
3. Preferred location.
4. Individual circumstances, establishing personal preferences and priorities.
5. Use of the property, holiday home/permanent home

Once we have established how many properties are available that fit the given criteria, we can forward the property details for review. The client can then exclude properties of lesser interest and start building a selection of properties that can be organised into a future viewing itinerary. The client feedback helps us better understand their requirements and we can widen or adjust the search if necessary.

You can see an example of how the property selection process is organized by following this link <http://thespanishpropertyregister.com/rating.htm>



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The Client Viewing Itinerary

Once the client is happy there are enough properties to view to warrant a visit, we arrange an itinerary with back-to-back viewings making the best time of the client's time. As part of an itinerary we will prepare background information as to the pros and cons of each property so as to be fully prepared prior to the viewing. During the visit, we can also assist with securing their NIE or fiscal numbers and opening a Spanish bank account – both necessary for the purchase of a property.

We usually accompany the client during the property viewings with the agents. Our role is to keep a perspective and assist the client assess the relative merits of each property. It could be useful to test to see if there is any flexibility in the price of some of the properties. Even so, once a property becomes of interest to the client, we would add our leverage to negotiate the best price, and in some cases our client's keep at a comfortable arm's length while we drive the best deal we can. At the end of each day we review the properties seen and discuss

how we can get the most from the next day of viewings.



By the end of their visit, the client will have seen a large variety of property that matches their criteria. If they wish to look into a particular property in more detail we assist with our legal services, otherwise we review the search criteria and decide how we need to proceed.

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Conveyancing and Making Essential Checks

When the client is satisfied that they have found the right property, we need to check to ensure that everything is in order so that the client can proceed with the purchase.

The Private Contract

Before investing time to investigate the property, the vendor will take the property off the market for an agreed period, requiring the client to pay a deposit. The private contract must protect the client in case we discover any problem with the property and

ensure that the deposit is refunded in full should this be the case. Agencies that deal with our clients should accept Search and Survey's private contract terms and conditions, rather than our clients having to accept terms that are more favorable to the vendor.



Legal Searches

Spanish law holds the existing legal owner of a property liable for all encumbrances on the property no matter who was responsible.



This means that if there is an outstanding mortgage, tax office embargo, or court charge against the property this liability will automatically transfer to the purchaser after completion. Our legal searches will check the land register to ensure the property is free of all charges.

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Local Authority Searches

Customers from the UK will assume these checks are normally carried out as part of the legal process, however in Spain this is not the case.

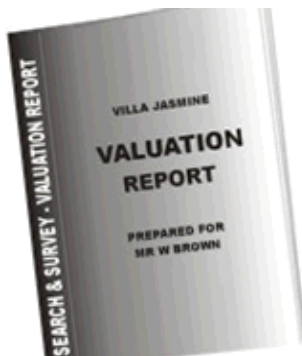
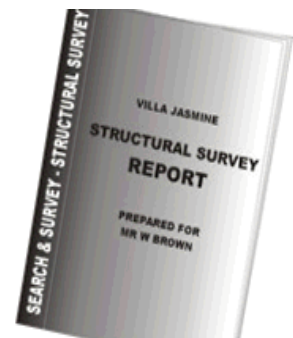


This is where many problems for purchasers commonly occur down the line. For example there has been much press coverage regarding the LRAU, or more commonly known the land grab laws, where owners have found that their property is due to be in the middle of a new development and they are required to pay for the infrastructure as a shareholder in the land.

The general plan at the local town hall will detail all future planned changes in land use and development projects in the local area. From checking the general plan, we will understand if any new developments or changes are expected, so that our client is aware how this might affect their property. The local authority searches also check potential liabilities due to the town hall, for example if the previous owners have not paid their rates, or have outstanding fines for illegal building work, etc. Any planned road widening or other infrastructure projects that could potentially claim land from the property is also checked. We extend our search to a regional level as any new urbanizations and changes of use of land proposed by the local town hall will need approval from the regional authority.

Survey Report

We carry out the structural survey whether it is necessary for any loan or mortgage to establish the condition of the property, or simply for peace of mind and as a means of safeguarding their investment. Any defects need to be uncovered and addressed before completion, or be referred to in final negotiations.



Valuation Report

A useful reference that examines the size and type of the construction, the characteristics of the plot, the location and other aspects influencing the value of the property. Similar properties and their values in the same area are then compared to assess an accurate figure for the value. The valuation can help secure loans or a mortgage if necessary.

There is also a **General Detail** report with detailed plans conversion/extension options etc.

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Conveyancing and pre purchase checks.

Rectification of the Escritura

The escritura is often loosely translated as the property deeds but unlike the UK a new document is issued after each sale/purchase. Any changes that have been made to a property that are not recorded in the vendor's escritura (deed), needs to be amended before any transaction is completed. We check that the existing escritura is accurate, and if not we can certify the changes that describe the property in better detail. Any building extensions, addition of swimming pools, changes in boundaries or other changes in the property description need to be rectified in the vendor's escritura so that it is valid before the purchase. Otherwise, these changes may prove to be a liability in the future. Our architectural department will survey and certify these changes working with the Notary to make this process as straight forward as possible

Preparation of Documentation for the Notary

Once all these checks have been completed, the documentation for the new escritura is provided to the Notary. Any further points in question, regarding the transaction are then discussed with the Notary before the completion date so that everything is in order.

A Personalised Service.

Buying a property is a big responsibility, and at times complications occur that need careful thought. Search and Survey SL is an accredited API, and our team has over 25 years experience dealing in the Spanish property market. We have direct contact with most of the authorities and town halls that can help solve many outstanding issues. Our clients look to us for advice on a range of issues, from the initial negotiations to beyond the completion of the property purchase.

Search and Survey is unique in offering a comprehensive range of services that look after the interests of our clients in Spain prior to, during and after the property is purchased.



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Fee Structure

Search & Survey provides all the legal and professional services you require whether you are contemplating buying land and building your own villa or a new or resale property. We help you find exactly what you are looking for, manage the entire process and ensure when we hand you the keys at the end there are no unexpected surprises. By utilizing our specialist departments namely the **Land Register** and the **Spanish Property Register** we have access to a massive, unrivalled database of properties and building land for sale in Spain.

What's involved and what does it cost.

There are several steps involved in purchasing a property in Spain which are different to those applied in the UK therefore you would be wise to seek professional advice: Do not be lead astray by sales people - professional advice means using independent legal advisers and NOT the estate agent who is selling you the property or a lawyer acting for him.

Share the legal and conveyancing costs with the seller!

Let us help you find a property and we make the vendor pay part of your conveyancing fee!

*Search and Survey are an INDEPENDENT team of professional specialists who are specifically engaged by purchasers and potential purchasers. We make no attempt to influence a sale because selling property is **not** our business. Our interests are strictly with protecting the interests of the buyer and not the Vendor or his selling agent.*

To purchase a property in Spain there are three essential processes

1	Find a suitable property
2	Carry out stringent checks
3	Final Conveyancing

You can choose any of the above, either as individual services or as a complete package 1, 2 and 3. It is considerably cheaper in the long run to take the whole package since we are able to subsidise our costs by way of an introduction fee we charge the vendor agent. The full package finding through to completion is 3,300€

Share the Costs with the Seller

Use our property finding service and you will save at least 2,000€ on legal and conveyancing fees.

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Fee Structure

The table below shows the whole process with prices for individual services should you find a property without our assistance. **Please remember ALL services listed below (Property finding and Conveyancing) are INCLUDED in the full 3,300€ package price.**

NB all prices quoted ex IVA (VAT 16%)

Property Finding Service

Standard fees	Summary of Services Provided
Free	1. Pre purchase preliminary telephone discussions, exchange emails and ideas to include a series of rating exercises to establish the criteria. You decide which of our services is best for your particular circumstances.
	2. Search for suitable properties & prepare a structured viewing itinerary. (Includes Virtual Tours)
Open account after this meeting & pay either	3. Pre Viewing Briefing - S & S presentation - examine selected properties and discuss programme, tactics, etc.
500€	4. Accompanied Viewing (In the event no suitable property is found process 2,3 & 4 will be repeated up to 3 times without extra charge.)
or	5. Unaccompanied Viewing This may be necessary in certain circumstances. (In the event no suitable property is found process 2,3 & 5 will be repeated up to 3 times without extra charge.)
300€	
100€	6. Fiscal registration (Nie Number). A legal requirement when buying in Spain.
50€	7. Open a bank account - Establish preferential terms for money transfers, utility payments, etc.
50€	8. Preliminary title searches . Establish the vendor is the registered owner and discover any liens or charges on the property.
20€	9. Technical Valuation . Our surveyors will make a theoretical technical assessment of the property's value to establish a fair market price.
20€	10. Price negotiations . Assist and advise to achieve the best deal from the Vendor (We are good at this!)
20€	11. Offer to purchase . A formal written offer (Spanish & English) to ensure there is no doubt about the agreed price, our conditions and terms of completion, etc.
50€	12. Reserve agreements . We prepare a contract with the vendor (Spanish & English) to take the property off the market for a period, until we have surveyed and investigated the property thoroughly. Usually involves a deposit paid to the vendor of about 3,000€.

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NB all prices quoted ex IVA (VAT 16%)

Property Conveyancing Service

Standard fees	Summary of Services Provided
500€	1. Preparation of a Private Contract. We prepare this document with your interests in mind, between Purchaser and Vendor Written in both Spanish and English it includes clauses relating to the formal public transfer of the property at the Notary at some future date. It also includes the circumstances when money paid by way of a deposit are to be refunded to the buyer.
550€	2. Legal Searches, full investigation of the legal status of the property. A report is prepared (English & Spanish) with all supporting documentation, outlining any irregularities, etc.
550€	3. Local and Regional authority searches. Here we investigate any planning issues.(land grab implications). Urban restrictions etc.
740€	4. Official Valuation. This report provides an independent assessment of the value of the property from both a commercial and technical point of view. It is presented in Spanish with an official English translation.
1,200€	5. Certified Structural Survey. This report gives a detailed explanation of any defects found in the property, and the implications of rectifying same. It includes photos of areas of concern. It is presented in Spanish with an official English translation.
450€	6. General detail report. This report is a technical specification document describing all aspects of the property, plot and its potential for additional construction. It includes floor plans, etc. It is presented in Spanish with an official English translation.
200€	7. Preparation of documentation for the Notary. This includes any rectifications to the escritura (property deeds)which may be necessary.
200€	8. Attending Notary & Official Translations. The documents presented by the notary to the vendor and the purchaser have to be translated so that all concerned understand what they are signing. Only officially qualified translators are able to perform this.
50€	9. Change Utility Contracts - Water, gas, electricity, telephone, etc. Ensure the previous owner has paid all outstanding bills including any property taxes or fines.,etc.
5,250€	Total cost for services selected individually.

For further information please contact:

Search & Survey SL, Office 21, Pta., Edificio Perlamar. 03710 Calpe, Alicante. Spain.Tel: 0034 965874795 Fax 0034 965831081 email services@searchandsurvey.com

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