

Nota Simple: The Essential Property Check

In the Spanish real estate system, a **Nota Simple** is an official, summarised excerpt issued by the Land Registry (*Registro de la Propiedad*). Think of it as a current "legal snapshot" of a property. While it is purely an informative document (rather than a formally certified deed), it holds massive weight because it reveals the true legal and financial reality of a property at the exact moment it is pulled.



What Information is on a Nota Simple?

A typical Nota Simple is broken down into a few critical zones:

- **Property Description (*Descripción de la finca*):** Details the physical nature of the property (apartment, villa, land), its boundaries, total square meters, and any registered annexes like parking spaces or storage rooms (*trasteros*).
- **Ownership (*Titularidad*):** Identifies exactly who owns the property, how many people hold a stake, their NIE/NIF numbers, and how they acquired it (e.g., via a standard purchase, inheritance, or donation).
- **Charges and Encumbrances (*Cargas*):** **This is the most critical section.** It lists any active mortgages, tax debts, court-ordered embargos, local urban planning restrictions, or easements (such as a neighbour's right of way across the land).

Why is it so Important?

In Spain, **debts attach to the property itself, not to the person who took them out.** If you buy a house with an outstanding mortgage or a massive unpaid municipal tax bill, those debts automatically become *your* problem the moment you sign the deeds.

Checking a recently issued Nota Simple (ideally less than 3 months old) protects you in several vital ways:

1. Verifies the True Owner

It prevents fraud by confirming that the person trying to sell you the property actually has the legal right to do so. If three siblings inherited a house but only one is trying to sign the contract, the Nota Simple will flag the joint ownership immediately.

2. Uncovers Hidden Financial Liabilities

It ensures the property is sold *libre de cargas* (free of debts). If a mortgage or a tax embargo is listed, your legal representative will ensure it is financially settled and legally cancelled at the registry before or during the final completion at the notary.

3. Exposes Planning and Size Discrepancies

You can cross-reference the registered square meters against the actual physical property or the Catastro (the tax registry). If a villa is listed as a 50-square-meter ruin on the Nota Simple but stands as



a 300-square-meter luxury home in person, it means major renovations or extensions were built illegally without proper licenses, which can lead to hefty fines or demolition orders.

4. It is Mandatory for Financing

If you require a mortgage to purchase the property, Spanish banks and independent property appraisers will absolutely refuse to value the property or approve the loan without a current Nota Simple in hand.

The Golden Rule: Never hand over a deposit or sign a private purchase contract (*contrato de arras*) without **your lawyer** obtaining and thoroughly reviewing an up-to-date Nota Simple first.

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