

The Key Purchasing Steps

Buying a property on the Costa del Sol is an exciting venture, but the Spanish real estate system has a very distinct rhythm and legal structure. Navigating it successfully requires moving through several non-negotiable legal and financial steps outlined below to ensure your investment is fully protected.



1. Secure Legal & Administrative Basics: Prerequisites.

Before falling in love with a villa or apartment, you need your paperwork ready.

- **Hire an Independent Lawyer (*Abogado*):** Hire an independent professional who answers *only* to you to handle the extensive due diligence. *my place in the sun* can put you in contact with a local lawyer that speaks your language.
- **Get an NIE:** The *Número de Identificación de Extranjero* is your Spanish tax ID. You cannot buy property or register utilities without it. If you grant your appointed lawyer Power of Attorney, they can do this for you.
- **Open a Spanish Bank Account:** Necessary for transferring the purchase funds, paying local taxes, and setting up future utility direct debits. *my place in the sun* can put you in contact with a local bank that will take on non-residents and speaks your language.
- **Gain Mortgage Offer in Principle:** If you require a mortgage gain an offer in principle. Expect a maximum of **60% to 70% Loan To Value**.

2. Offer & The Reservation Contract: Secures the property.

Working with *my place in the sun*, let's find the right property for you. On deciding on your dream home, supported in your price negotiations by *my place in the sun*, you make a formal offer. If accepted, you sign a *Documento de Reserva* (Reservation Contract).

- You pay a small holding deposit (typically **€3,000 to €6,000**) to take the property off the market.
- *Crucial:* This deposit is generally non-refundable but ensure your lawyer inserts a clause stating this deposit is fully refundable if any legal defects or structural dealbreakers are uncovered during due diligence.

3. Legal Due Diligence & The Arras Contract: 2–3 weeks later.

Your lawyer will perform vital background checks. They will request a *Nota Simple* from the Land Registry to verify the seller truly owns the property and ensure there are no hidden debts, outstanding mortgages, or town hall planning infractions tied to the bricks and mortar.

If everything is good, you sign the **Contrato de Arras** (Private Purchase Contract) and pay a **10% deposit** (minus the reservation fee).

The 10% Arras Rule: Under Spanish law, if *you* walk away after signing, you forfeit this deposit. If the *seller* backs out, they are legally required to pay you back **double** the amount.

4. Completion at the Notary: 4–8 weeks later.



The final step happens at a Notary Public's office. Both parties (or your lawyers via Power of Attorney) meet to sign the **Escritura de Compraventa** (Public Deed of Conveyance).

- You present the remaining balance via a verified Spanish bank draft.
- The notary witnesses the transfer, the keys are handed over, and you are officially the owner.

5. Post-Completion Taxes & Registration: Within 30 days.

Your lawyer will immediately send the deeds to the local Land Registry (*Registro de la Propiedad*) to update the ownership records and handle the settlement of the necessary property taxes.