



## [ADVICE ON SELLING](#)

### [CHOOSING AGENTS](#)

In Spain you can list your property with as many agents as you choose but beware that if you take this option make sure that you don't sign an exclusive contract with any of them as if another agent sells your property you will still have to pay the exclusive agent their commission.

For a realistic valuation of your property use a local agent as they will have a better idea of what other similar properties are going for. Agents can only give you an idea of your properties worth in the current climate, if you want or need an accurate valuation then you will have to pay for a bank valuation.

Check the amount of commission each agent is going to add to the price. Typical amounts are 3 to 5% but some work for a fixed fee. Remember that this amount is subject to IVA (VAT) at 18%. Remember to notify each agent you have used if you reduce the price of your property. There is nothing worse than your property being shown on various different websites for wildly varying prices.

### [VIEWINGS](#)

If you are lucky enough to get a viewing for your property remember that first impressions count. Make sure that your house is clean and tidy, uncluttered and that window blinds are open to maximise light. Pools should be clean, weeds under control and if you have dogs then please clean away the evidence. Beds should be made, no rumpled covers and loo seats down please gents!!

If you require feedback after any viewing then please contact the agent as we will be only too pleased to pass on any comments potential buyers have made. Don't expect the agent to contact you as if they have shown several properties that day then they won't have time to contact each one of you.

### [ACCEPTING AN OFFER](#)

Once a buyer has expressed an interest in your property then negotiations can begin. A potential buyer will usually start by making an opening offer for your property, sometimes they are willing to increase this offer but some will make a one off offer and stick to it. It is a buyers market at present so don't be too disappointed if this opening offer is very low to begin with.

It is very important that you have in the back of your mind a figure that you would be prepared to accept, be realistic. Don't expect to make back all the money that you have invested improving your property as in today's market it won't happen. When contemplating this figure remember to take into account the additional costs you could incur when selling. See below.

### [COSTS INVOLVED](#)

Selling your property over here isn't cheap. It is your responsibility to make sure that all the paperwork is in order so that it is 100% legal. If you have added buildings, pools etc then these will need to be added to the escritura before you sell. If, when you purchased your property there were additional buildings etc that existed but weren't added to the deeds at the time then these will also now need to be added. This can also apply to the build size of your property as the Spanish used to declare the size smaller to save taxes. If you have 80 m<sup>2</sup> on the deeds but the house is 130 m<sup>2</sup> then this needs to be updated. Updating the deeds will incur the following charges.

1/. Architect fees for making the new plans

2/. Stamp duty, currently 1%, of the obra nueva or in other words the value being added to the deeds

for the extra buildings.

3/. Land registry and notary fees for amending the deeds.

These costs can vary greatly depending on how much work is involved. Typically expect to pay between 1,000€ to 5,000€. Consulting a solicitor will give you a better idea.

#### Other charges you may incur are:-

1/. Agents fees

2/. Solicitors fees, should you chose to use one. Sometimes the solicitor working for the buyers will sort certain matters out for you as it is in the best interests of their client. If you don't employ the services of a solicitor then you may have to pay a third party to sort out some paperwork issues and to act as a translator in the Notary on completion.

3/. Town Hall fees for a habitation certificate and no infraccion certificate. The habitation certificate can be applied for before you find a buyer but the infraccion certificate needs to be done once a buyer has been found as it needs to be up to date.

3/. If you are a non resident then you will have 3% of the declared selling price retained in the Notary towards your capital gains liability.

In order to avoid paying this retention then you need to be a fiscal resident in Spain. It is no longer an option to obtain from the Agencia de Tributeria the certificate "Residencia Fiscal en España".

Many Notaries are now asking for proof that you declare your taxes here and are asking to see the last 3 years declarations. If you earnings are below the amount needed to fill in a yearly declaration then you need to have a certificate from the Inland Revenue in England stating that you no longer pay your taxes in England and you need to get this verified over here.

If you have made no paper profit on the sale of your property then you can claim back the retention but they will check that you have been paying your non residents taxes whilst over here and if not they will deduct them from this amount. You are best to employ a Gestoria or solicitor to sort this matter out for you.

Your capital gains tax liability is 18% of the paper profit you have made on the sale. Even after paying the retention you might still owe more money. In the past people returning to England have paid the 3% and then gone back in the hope they won't be chased for the balance, now however they are tightening up and you may well receive an unexpected knock on the door.

Residents are still liable to pay capital gains tax but other factors can come into play that can reduce the amount owed. It is always best whether non resident or resident to consult a professional in order to get the best advice for your situation.

5/. The buyers solicitor will also retain an amount of money from you to cover any outstanding utility bills, Suma bills for the current year (even if you sell in January and your suma bills aren't due until September then you still have to pay). Plus Valia is a land tax that the sellers have to pay, plus if you have a mortgage there will be cancellation fees.

This all sounds very bewildering but seeking sound financial advice before selling could put your mind at ease and maybe save you money in the long run.

If you are including fixtures, fittings and furniture in the price of your house or if the buyers have agreed to buy these from you then you will be asked to provide a detailed inventory of what items are included. This prevents any confusion later on.

Once you have excepted an offer then you need to provide copies of your deeds, suma bills and utility bills to the buyers solicitor plus copies of your NIE numbers and passports.

A reservation contract is normally drawn up and the buyers pay 3,000€ in order to withdraw the property from the market whilst their solicitor does the legal checks. Once the solicitor is happy that all is well or can be made well then usually the buyers will pay another deposit making the total up to 10%. Once this stage has been reached very few sales fall through as if the buyers pull out then they will lose the deposit and if the sellers change their minds then they have to repay the deposit

plus compensate the buyers by the same amount again.

When the sale completes you will most likely be presented with a bankers cheque for payment. Make enquires before hand on what fees you will be charged by your bank for paying in this cheque as the fees can be very high. Also if you are moving back to the UK then it is worth consulting a financial exchange company in order to get the best rate possible as this can save you thousands.

Some sites you may find useful to consult for more up to date info are :

tla: tax, lawyers & architects [www.tlacorp.es](http://www.tlacorp.es) 0034 965 488 168  
Check out their blog page for the latest info on buying and selling..

Moneycorp. Financial Exchange. [www.moneycorp.com](http://www.moneycorp.com)

Currencies 4 you [www.thegroup4you.com](http://www.thegroup4you.com)

This is just a brief overview of the stages involved when deciding to put your property on the market.

If I can be of any further assistance or if you would like me to market your property for you please contact me Debbie Bryers :-  
0034 650 831 353  
[admin@djbproperties.com](mailto:admin@djbproperties.com)