

THE QUICK BUYER'S GUIDE

The buying *procedure*

*Buying a home on the Costa del Sol — calm and clear,
step by step.*



A WORD BEFORE WE BEGIN

Hello & Welcome

Buying a home in Spain is one of the most exciting decisions you will make, and we want it to feel that way from the first viewing to the day you receive your keys. It also comes with legal, tax and administrative steps that work differently from what you are used to at home. That is exactly where we come in.

Janson Estate is a boutique agency by choice. We work with a limited number of clients at a time, so you have one dedicated point of contact who knows your wishes, speaks your language and stays by your side throughout: at viewings, during negotiations, with the lawyer and at the notary, and well after the purchase is complete.

This guide walks you through the key stages of the purchase, from reservation contract to notarial transfer, and from basic formalities to taxes. No sales talk, just honest information and realistic expectations, the way we would explain it to you across the table. Where the rules differ for **EU** and **non-EU** buyers, we flag it. Questions along the way? Call or message us anytime. That is what we are here for.

Enjoy the read,

Paula Janson

FOUNDER · JANSON ESTATE



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01 The buying process in three steps

A purchase in Spain runs through three contractual moments. This is how it looks for a resale property; new-build follows a different payment schedule (chapter 02).

I.1 **Reservation** — *contrato de reserva* €3,000 – €10,000 or approx. 1%

You secure the property with a reservation fee — typically €3,000, €6,000 or €10,000, or around 1% of the asking price. The property comes off the market for 2 to 4 weeks. During this window your lawyer carries out the legal due diligence. The fee is later deducted from the purchase price; if you withdraw without good reason, you lose it. Engage a lawyer before signing.

I.2 **Purchase contract** — *contrato de arras* 10% of the price

Once due diligence is clear, the private purchase contract follows — the binding sale agreement. You pay 10% of the price (less the reservation already paid). It sets out the price, payment dates, completion date and any conditions (such as financing). Usually in the form of *arras penitenciales* : if the buyer withdraws, the deposit is forfeited; if the seller withdraws, they repay double.

I.3 **Title deed** — *escritura de compraventa* balance + keys

The final step: at the Spanish notary you pay the balance (by banker's cheque) and receive the keys immediately. Taxes are then paid, the property is registered in your name at the Land Registry (Registro de la Propiedad) and the utilities are transferred with direct debit.

DURING THE RESERVATION PERIOD

The legal due diligence

Before you commit, your lawyer verifies that the property is free of charges and legally in order. This is the heart of a safe purchase — you only sign the purchase contract once everything checks out.

Ownership & charges

- Recent Land Registry extract (nota simple): owner and description
- Check for mortgages, liens and debts on the property
- Easements, rights of way and usage rights

Community & costs

- Verification with the owners' association (comunidad): balance and fees
- Outstanding IBI, refuse tax and utility bills

Building & municipality

- Cadastre and zoning: legality of the build and any extensions
- Occupancy licence (licencia de primera ocupación) and energy certificate
- Optional structural survey of the property's condition

Closing

- Drafting the purchase contract with clear conditions
- Arranging N.I.E., bank account and completion at the notary

At Janson Estate you work with a trusted, independent lawyer who handles this due diligence in full.

OI From offer to keys — the timeline

From offer to keys typically takes two to four months; with a mortgage often a little longer. This is how it runs in practice.

Week 0	Offer & negotiation You make a written offer through the agent. A margin of 5–10% below asking is common, depending on market and location. Agree the conditions up front: financing, completion date, furniture.
Week 0–1	Reservation Offer accepted: reservation contract and fee (€3,000–10,000 or ±1%). The property comes off the market.
Weeks 1–4	Due diligence Your lawyer checks title, charges, permits and the community. In parallel: apply for your N.I.E. and open a Spanish bank account.
Weeks 4–6	Purchase contract (arras) All clear: signing and 10% deposit. The notary date is fixed.
Weeks 6–12	Financing & preparation Mortgage application and valuation (if financing), transferring funds to Spain, arranging the banker’s cheque and, if needed, a power of attorney.
Weeks 8–14	Title deed Signing the escritura, paying the balance, receiving the keys. Then: ITP/IVA within 30 days, Land Registry registration, utilities in your name.

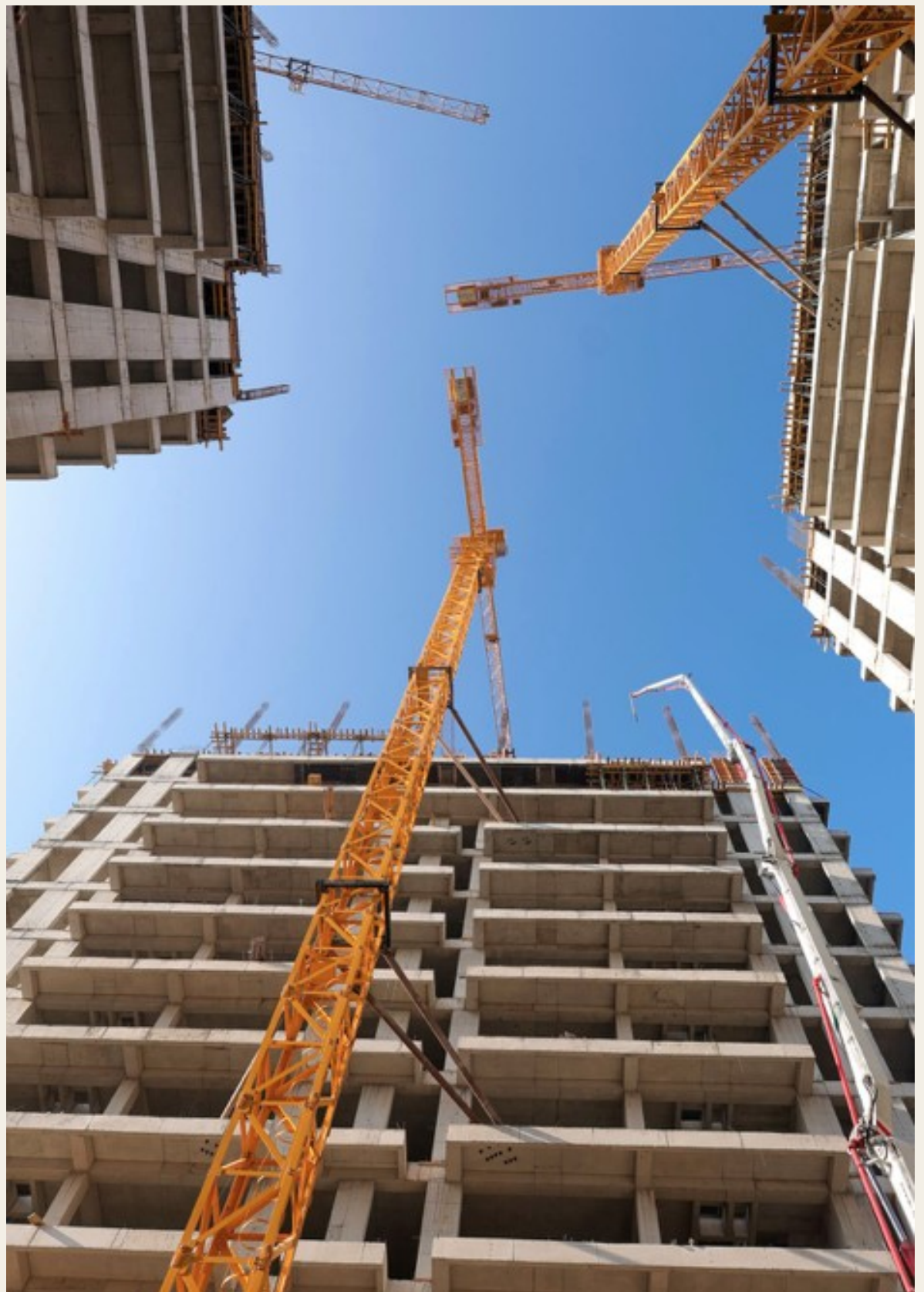
New-build takes longer and follows the developer’s construction schedule (chapter 02).

02 Buying new-build

For new-build, the developer sets the payment schedule. You pay in instalments during construction, with a final payment on completion. Before handover, a snag list is checked — the so-called *snag list*.

ADDITIONAL POINTS OF ATTENTION

- Check permits and guarantees
- Insurance for structural defects (ten years)
- First Occupation Licence (licencia de primera ocupación)
- Insist on a bank guarantee for each instalment paid



03 Basic formalities

3.1 Power of attorney

Allows a representative to act on the buyer's behalf.
Drawn up in Spain, or via a local notary with an apostille.

3.2 N.I.E. number

Every foreign buyer needs an N.I.E. (foreigner's tax ID). The application takes time; appointing a representative is recommended.

3.3 Spanish bank account

Required for purchase payments and direct debits (community, utilities). Payment at the notary is made by banker's cheque.

3.4 Spanish will

Not compulsory, but advisable. It greatly simplifies the succession of your Spanish assets.

Janson Estate arranges these formalities through a trusted local team — one point of contact from start to finish.

WHAT DOES BUYING IN SPAIN COST?

On top of the price, budget *around 10 to 14%* for additional costs and taxes.

A clear picture up front prevents surprises later. The full breakdown is on the next page.

04 Costs and taxes

Budget roughly **10 to 12%** on a resale property and **12 to 14%** on new-build. Purchase taxes are the same regardless of nationality; the recurring income tax differs for EU and non-EU owners.

RESALE PROPERTY		NEW-BUILD	
Transfer tax (ITP)	7%	VAT (IVA)	10%
Lawyer (+ VAT)	approx. 1%	Stamp duty (AJD)	1.2%
Notary & registry	approx. 1 - 1.5%	Lawyer (+ VAT)	approx. 1%
Gestoría / admin	variable	Notary & registry	approx. 1 - 1.5%
With a mortgage	+ 1 - 2%	With a mortgage	+ 1 - 2%
Indicative total	approx. 10 - 12%	Indicative total	approx. 12 - 14%

RECURRING — EU VS. NON-EU OWNERS

EU / EEA: non-resident income tax (IRNR) 19% on net rental income — costs deductible	Non-EU (incl. UK): IRNR 24% on gross rental income — no deductions
IBI (property tax) & refuse tax (basura), set by the municipality	Community fee (comunidad) for an apartment or urbanisation; wealth tax effectively exempt in Andalusia

05 Mortgage

NON-RESIDENTS

max. 70%
of the property value

RESIDENTS

max. 90%
of the property value

Loan-to-value depends on residency status, not nationality — most non-resident buyers, EU and non-EU alike, finance up to around 70%.

DOCUMENTS REQUIRED

For every applicant

- ☐ Passport copy (2 pages, no fingers/flash)
- ☐ N.I.E. certificate or residency card
- ☐ Bank statements, last 6 months (showing income)
- ☐ Proof of own funds (savings, securities, etc.)
- ☐ Credit report from your home country

Employed

- ☐ Last 3 payslips
- ☐ Income tax return, last 2 years

Self-employed

- ☐ Income tax return, last 2 years
- ☐ Annual accounts, last 2 years
- ☐ Recent company registration extract
- ☐ Ownership structure (if multiple companies)

If you own rental property

- ☐ Overview of rent, mortgage, value and tenancy contracts

This applies to every applicant, whatever their profession. A complete application speeds the process up considerably.

06 Taxes when you sell

6.1 Capital gains tax

19% on the net gain for non-residents (EU and non-EU alike). Documented renovations — supported by invoices — can be offset against the taxable gain.

6.2 Plusvalía municipal

A municipal tax on the increase in land value, calculated independently of the actual sale price.

6.3 3% retention

When a non-resident sells, the buyer withholds 3% of the sale price as an advance on tax. A refund is possible via a separate procedure.

We guide you through the sale too — from valuation to settlement at the notary.

07 Renting out & investment

In Spain you are taxed on your **actual** net rental profit. How that works depends on whether you are resident in the EU/EEA or outside it — this is the single biggest tax difference for owners.

EU / EEA OWNER	NON-EU OWNER (INCL. UK)
IRNR 19% on net rental income	IRNR 24% on gross rental income
Costs deductible: maintenance, community, IBI, interest, management	No deductions — tax is on the gross rent received
Declared quarterly via Modelo 210	Declared quarterly via Modelo 210

WAYS TO OWN

1 • Personal — EU/EEA resident

19% on net rent via Modelo 210, costs deductible. Simplest and usually most efficient for a single property.

2 • Personal — non-EU resident

24% on gross rent, no deductions. Still straightforward, but the effective rate is higher — model your numbers carefully.

3 • Spanish company (SL)

15% corporate tax the first two years, then 19–21%; wider deductions, but set-up and annual costs. Worth it from several properties.

4 • Home-country company

Spain taxes the net rent; your home country typically applies double-tax relief. Attractive when capital already sits in the company.

For a single home, personal ownership is usually the best balance; a company structure pays off only with larger capital or a portfolio. Always confirm with a tax adviser in both countries.

CRUCIAL BEFORE BUYING

The rental licence (VUT)

For tourist rentals this is the biggest risk in 2026 — more important than the ownership structure. Without the right registration you cannot rent legally.

- Tourist rental requires a **VUT registration** with the Junta de Andalucía, plus (since July 2025) a number in the national Registro Único.
- Without this number, platforms such as Airbnb and Booking will reject your listing.
- Málaga city has a three-year moratorium on new licences (since August 2025), and the community can prohibit rentals in its statutes.
- So buy only a property that already holds the licence or can demonstrably obtain one, and check the community statutes before signing.

WORKED EXAMPLE · €500,000 APARTMENT

Gross rent ±€30,000 a year, costs ±€12,000, net €18,000. An **EU owner** pays roughly **€3,420** (19% of net). A **non-EU owner** is taxed on the gross rent at 24% — about **€7,200** — as no costs are deductible.

We verify the rental status of every property before you make an offer.

o8 After the purchase

With the keys in hand, ownership begins. Two things to arrange well: your recurring charges, and — before completion — transferring and evidencing your funds.

RUNNING COSTS & OWNERSHIP

- **IBI** — annual property tax, set by the municipality
- **Basura** — municipal refuse tax
- **Community fee** (comunidad) for an apartment or urbanisation
- **Insurance** — buildings and contents
- **Utilities** — water, electricity and internet in your name, by direct debit
- **Modelo 210** — annual non-resident filing: on rental income, or for own use on a deemed 1.1-2% of cadastral value (19% EU / 24% non-EU)

FUNDS & RESIDENCY

- Bank and notary require **proof of the source** of funds (anti-money-laundering)
- Transfer large sums in good time; mind the exchange rate — a currency specialist often helps
- **EU citizens** may live here freely; register for residency if staying beyond three months
- **Non-EU citizens** may visit up to 90 days per 180 (Schengen); longer stays need a visa (e.g. non-lucrative or digital-nomad)

Owning a property does not by itself grant residency. The Golden Visa route via property was abolished in April 2025 — ask us about current options.

IN BRIEF

Frequently asked questions

Do I need a lawyer?

Yes, strongly recommended. An independent lawyer runs the legal due diligence before signing and protects your interests.

What is an N.I.E.?

A tax identification number for foreigners. It is compulsory for every purchase and for most formalities in Spain.

Do rental taxes differ for non-EU owners?

Yes. EU/EEA owners pay 19% on net rent (costs deductible); non-EU owners pay 24% on gross rent, with no deductions.

Can I rent it out to tourists?

Only with a valid VUT licence and Registro Único number. Check before buying that the licence exists or is obtainable, and that the community allows it.

Can non-EU citizens buy?

Yes. There is no restriction on buying by nationality. Residency, however, is separate — see below.

How much do I need up front?

Non-residents typically finance up to 70%. Budget your own contribution plus roughly 10–14% in costs and taxes.

Do I need to attend completion?

Not necessarily. With a power of attorney the transfer can be handled remotely.

Does the Golden Visa still exist?

No. Spain's property-based Golden Visa was abolished in April 2025. Other residency routes exist, such as the non-lucrative or digital-nomad visa.

FREE TO DOWNLOAD

Practical checklists

Alongside this guide we offer a set of handy checklists free of charge. They walk you step by step through the process — from the first viewing to the handover of keys.

Viewing checklist

What to look for in a property: location, condition, orientation, community charges and surroundings.

Documents checklist

Everything you need for N.I.E., bank account, mortgage and the notarial transfer.

Costs checklist

An overview to calculate your total budget, including taxes and recurring charges.

Moving checklist

From utilities in your name to registering with the town hall — landing smoothly in Spain.

These checklists are free to download on our website. Do ask us for the most current version.



READY FOR THE NEXT STEP?

Let's get acquainted.

A relaxed thirty-minute conversation about your timing, your budget and the life you picture here. Then the search begins — at your pace.

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