

Marche Casa



*SOME POINTERS WHEN
BUYING A COUNTRY HOUSE
IN ITALY*

With these short and easy to read guidelines, Marche Casa would like to give some pointers to visitors of this website who are looking to buy a house in Italy.

The advice given is done so independently by marche-casa purely in the hope of saving your time, your money and hopefully enabling you to have a wonderful and happy memory of your experience of buying a property in Italy.

Buying a country house, a casale, a farmhouse or an antique villa in Italy can be a fantastic experience but this exciting moment can easily turn into a nightmare should it become lost in the unfamiliar bureaucracy, language and the stress of frequent and therefore costly trips back and forth. In order to avoid wasting time, money and the taste of bitter disappointments, there are a few easy to follow rules, that when applied, can help to ensure that all goes smoothly with your Italian house purchase.

Let's take it for granted that, after many visits to Italy, lots of research, stories from friends etc..., you already know where you want to buy the house, or at least the region....not too bad, this is an excellent starting point!!!


BEFORE TAKING OFF FOR ITALY.....GET INFORMED


- The first step, before the preliminary organization of your trip to Italy, is to have a clear idea of your budget, taking into consideration all of your buying costs/fees, restoration costs including your plans and building permissions, local taxes and allowing some contingency for any unexpected events that might occur along the way.

- The most important rule for a good house purchase *is not to hurry*, finding the house of your dreams is not something to rush into during a few days of running from appointment to appointment. Visiting Italy is always a fantastic holiday but it can also be costly, so it is better to organise your visits well in order to have both...fun and complete all of your objectives. It is almost impossible to find the house of your dreams during your first visit to Italy, it may happen but being practical, it is not something that is very likely to happen.


- First of all, it's good to pick up as much information as possible from the internet including searching for and reading the profiles of the various agencies and collecting as much information as possible about them. Look at the pictures of the available properties, read the descriptions carefully and ask as much as you can about the properties you prefer. Always make your questions clear (making your own checklist will help to ensure you find out the information which is most important to you) and inform the agent in detail about your needs in order for them to find you a relevant shortlist of properties within a location suitable to your needs and requests. When in Italy, people are always willing to help you...who knows you might also turn out to be a future client or even a neighbour!! Without a doubt you will receive lots of information, not always everything you were looking for but usually it will be enough to give you a good idea about the agency and the people you are dealing with. This sort of background work is essential if you want to make the most of your trips to Italy.



- Another important rule is to choose the best agency for you, sometimes speaking with a person is enough to get that special feeling which immediately says if that person is the right one or not...but a feeling can not be the only criteria to choosing a valued a real estate agent. You should also check with the Chamber of Commerce of the province where the agency is located. This is where it must be registered by law. It is also a good thing if the agency has subscribed to FIAIP, which is the Italian  Federation of Real Estate Agencies, registration is not required by law, but being registered means that the agency follows a set code of practice.

- Before leaving it is very important to plan all the visits you are willing to make in order to not waste your time but to ensure that you have enough time to view  each house in detail and ask all of your questions when

you are there. You will need at least half an hour to view a tumbled down property. If the property can be seen inside and there are some outbuildings, or a big garden to view then you will need much more time. It will also be important to be mindful of the distances between the various properties you have on your list to visit and the time it will take to get to each one. If you have more than one agency, ask the agents about these distances and the timing before you leave in order to allow plenty of time to do everything you want to therefore avoiding the need to rush from house to house. When you are in a hurry even the most common questions can be forgotten or potential problems overlooked.

- In order to find the right property there is also the matter of getting a feeling for the place. If you do not give yourself enough time to listen to your heart, you could end up losing the property of your dreams.
- Generally 4-5 appointments in one day is a good starting point, giving you plenty of time to view the houses and also to stop somewhere to have a delicious lunch....never forget that you are in Italy, could you the local Italian dishes complimented by some lovely wine? a doubt the house you are going to view in the afternoon will have a better feeling after your Italian lunch!






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So far so good....now you should have organized your trip, chosen the best properties to view, found the agency you feel understands your needs and you can work with....your are ready for your visit to Italy. I am sure you know how to book the flight or the hotel, it is not difficult, but don't forget to rent a car as it's a necessity when you must independently travel around and fully check out your chosen locations. Sometimes in some areas there are not that many places to choose from on the internet when looking for places to stay. If you experience problems do not hesitate to ask for some suggestions from your agent, as

he/she will be glad to help you also with this, suggesting local hotels or B&B's, Italy has plenty of lovely places.

ONCE IN ITALY....

- When you are in the place with your agent always be honest and say clearly if the house is what you were expecting or not, if you like it or not, what you don't like and what, instead, is perfect as this will help the agent to show you other properties with the characteristics you are looking for, or to avoid you having to see houses which do not suit your needs. 
- On the other hand, if the property is exactly what you are looking for, or it is one of the most beautiful you have seen, don't show too much enthusiasm. Instead I would suggest a mild interest, so you will have time to think about the house without having the agent putting any unnecessary pressure on you to make a decision.
- When you are in the property, check with the agent where the boundaries of the property are, the outbuildings, the nature of the road leading to the  property (private, comune owned, provincial) if the road is to be built or finished, ask who has the responsibility for the building or finishing of the road and the maintenance of it (building a road can be extremely expensive and you may have not have allowed for this additional cost in your budget). If the house has no electricity or water or gas, ask about the process for their connection including timescales and bear in  mind that if sources are very far away, making the link could be a very high additional cost which you would also have to pay out of your budget.
- It is also important, in the case where a house needs to be restored, to ask if there are any environmental restrictions and if you have an idea of how you would like your house to look when completed, to ask if those new features or changes are

likely to be granted planning permission. In many rural areas for example, you are not even allowed to put in an extra window, or to have a porch. Some places have fewer restrictions, so you need to check these facts with the relevant authorities and your agent can help you to do this.

Now that you have found the property you are looking for, you are half way there but there are still a few things to do before you can say to your friends that you have bought a house in Italy.

- A very important thing to know about country houses, or farmhouses, or antique villas in Italy is that there are often many owners of the same property; grandfathers, grandmothers, brothers, sisters, cousins...all of whom have inherited the same house. Some of them may have died a long time ago, or live abroad and others who do not even know about the property they have in Italy. However, in law those people still appear as the owners of the house and in the future if their position is not clarified, they could claim the possession of your property. In order to avoid this, check with the agency who the owner of the property is and ask your lawyer to have this confirmed and to make sure that there are no debts, mortgages, written liens or burdens on the property.

WELL, EVERYTHING IS DONE, ALL DOUBTS RESOLVED, YOU HAVE FOUND THE HOUSE OF YOUR DREAMS, NOW.....

- It is time to negotiate the price. The agent is the person that will act as a mediator between you and the owner and will help you to make a bid and the owner to accept or discuss it further. Even if the requested price is honest and it reflects the real value of the property, think about making a lower bid first (Proposta d'acquisto - buying proposal) which the owner



may, or not, accept. If it is accepted, then good, you save some money, if it is not accepted you can make another offer or decide if you do not think it is worth paying the requested price then you can give up and continue your search. The buying proposal secures the deal once it is signed by both parties, but it is not a contract, with it you fix the price and decide when to go to the second stage of the buying process.

THE BINDING AGREEMENT- PRELIMINARY (Il compromesso)

- The preliminary is a contract subject to Italian law. It is a contract that legally binds both parties to sign the Purchase deed in front of a Notary (Solicitor) and if one of the parties renounces the deal, they are obligated to pay a fee by law. The property is still the property of the original owner at this stage and does not pass onto the buyer until a later stage when the Purchase deed is actually signed by both parties in front of the Notary.
- The preliminary must be always be written and signed by both parties, it must contain all buyer and seller details and all the information regarding the property, the price and how it will be paid and when and where the final contract will be signed at the notary office. Further more all of the points that the parties have decided on must be listed including all notes and requests....everything that is to be on the Purchase deed that will be signed later.
- When signing the binding agreement it is better, but not mandatory, to leave a certain amount of money, not more than 20-25% of the total purchase price, as either a deposit or as an earnest, and on the preliminary contract it must be written if you are leaving this money as one or the other since the difference between the two is very important.



- The **deposit** is only an amount of money, part of the total cost to be paid, given to the owner before the final contract, when you leave this amount as a deposit this money does not give to the buyer or the seller any rights.

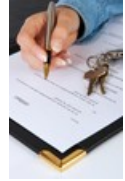
Butif you leave the 20-25% as a confirmatory earnest, things are different.

- The **earnest (called Caparra Confirmatoria)** is something more than an amount of money left to the seller before the final contract, it gives both the buyer and the seller a certain security as it is an amount left in compensation in case of breach of contract. In the case of the seller, after the signing of the preliminary deed, decides for some reason not to sell anymore, due to the received earnest he/she is bound to give double the amount back to the buyer or the buyer can ask a judge to force the seller to do so; if it is the buyer who is not willing to buy anymore then he/she is forced to leave the amount of the earnest to the seller.
- **Pay attention**, the amount of money given at the preliminary signing is considered to be as an earnest only if it is written as such and therefore acting as a compensation in the case of a breach of contract, otherwise, if it is only mentioned as an amount of money it will be considered only as a deposit.
- When signing the Purchase Deed, both a deposit and an earnest amount of money can be deducted from the total agreed purchase price to be paid.
- The last thing you should know when signing the preliminary deed is that at this point both the seller and the buyer have to pay the commission to the real estate agent in the percentage already agreed. In the Italian law they can charge both parties up to a maximum of 3% of the total selling price.



THE PURCHASE DEED (IL ROGITO NOTARILE)

The last part of the process of buying a house in Italy is the signing of the final contract (Purchase deed) in front of the Notary and only at this point do you finally become the owner of the property.



- The estate agent has the duty but not a legal obligation to bring things together before a Notary. Before the date of the contract, all necessary information and documents must be in order for the Notary to check that everything is correct and done following all legal requirements. Most respectable agencies continue to support you through this process, so don't worry, you are not going to be alone.
- The Notary has the duty of drafting the Purchase Deed and ensuring its the proper execution, registration, and payment of all Italian taxes ancillary to the completion. He/she will check that the seller is the legal owner of the property and is entitled to sell, that there are no debts, mortgages, written liens or burdens, further more, ensure that the vendor is aware that he/she must declare any outstanding private agreements regarding the property
- At the Notary you have to pay his/her fee and also you have to pay the following taxes:
 - if you are going to buy a property and use it as your first house you have to pay for:
 - ✓ Stamp duty: the 3% of cadastral value of the house
 - ✓ Cadastral duty: € 168
 - ✓ Registration duty: € 168
 - If this is not going to be your first house:
 - ✓ Stamp duty: the 7% of cadastral value of the house
 - ✓ Cadastral duty: the 1% of cadastral value of the house

- ✓ Registration duty: the 2% of cadastral value of the house

Once you are out of the Notary office you are the owner of a lovely Italian property, the one you always dreamed of!



WELL..... IF IT'S NOW THE TIME TO RESTORE YOUR HOUSE, I WILL HAVE TO WRITE ANOTHER GUIDE, SO I'D BETTER START NOW...BYE.....

LETIZIA PACETTI

OWNER OF MARCHE CASA

ORIGINALE