

Legal analysis

Description



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Property Legal Due Diligence â€“ Essential Checks Before Buying in Portugal

Before signing a **Promissory Purchase Contract (CPCV)**, thorough legal verification is crucial to avoid hidden liabilities. Hereâ€™s what ProDirecta investigates for every transaction:

1. Property Land Registry Certificate (*CertidÃ£o de Teor Predial*)

Issued by: *Land Registry Office (ConservatÃ³ria do Registo Predial)*
Purpose: The â€œidentity cardâ€• of the property, confirming:
âœ” **Legal ownership** (sellerâ€™s name matches registered owner).
âœ” **Encumbrances** (mortgages, liens, usufructs, or pending lawsuits).
âœ” **Legal status** (e.g., if owned by a company, we verify the sellerâ€™s authority to transfer).

âš ï¸ **Critical Check**: Uncanceled old mortgages or â€œoneraÃ§Ã£oâ€• clauses (restrictions on resale).

2. Fiscal Matrix Certificate (*CertidÃ£o Matricial / Caderneta Predial*)

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Issued by: *Tax Authority (FinanÃ§as)*
Key Details:
âœ” **Tax identification** (parish number, property matrix reference).
âœ” **Fiscal value** (used for IMI calculations).
âœ” **Current owner** (and tax compliance status).
âœ” **Property characteristics** (area, boundaries, land use â€“ e.g., agricultural/rural).

ðŸ“Œ *Request an updated copy to ensure no unpaid taxes are inherited*.

3. Licensing & Habitation Certificates

A. Usage License (*LicenÃ§a de UtilizaÃ§Ã£o*)

Issued by: *City Council (CÃ¢mara Municipal)*
Confirms:
âœ” The property complies with **approved construction plans**.
âœ” Itâ€™s legally habitable (for residential) or operational (commercial).

B. Building License (*LicenÃ§a de ConstruÃ§Ã£o*)

Required for:
âœ” New constructions or major renovations.
âœ” Issued pre-construction; finalized with a **Habitation License** post-inspection.

âš ï¸ **Red Flags**:

- Lack of a Habitation License (may indicate illegal construction).
- Discrepancies between the built structure and licensed plans.

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4. Additional Verification Steps

ðŸ”• **Municipal Archives**: Check for:

- Pending fines or urban violations.
- Ongoing construction permits.
- Zoning restrictions (e.g., rural land use limitations).

ðŸ”• **Condominium Records** (if applicable):

- Verify meeting minutes for pending fees or litigation.

Why Partner with ProDirecta?

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We handle all due diligence, including:
âœ… **Document retrieval** (from registries, tax offices, and municipalities).
âœ… **Legal analysis** (identifying risks like unregistered extensions).
âœ… **Post-sale support** (resolving legacy tax issues or licensing gaps).

ðŸ“© **Need a property vetted?** Contact us for a pre-purchase audit.

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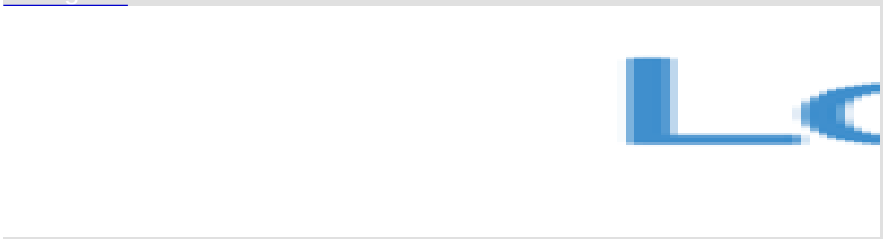
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