



frankedelaFuente



The Country Files

POLAND




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About

International Law Firm Specialized in Property Transactions,
Corporate and Tax Law. Client first, always.
We speak 

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FAST FACTS



Language
Polish *język*



Currency
Złoty



Capital
PLN



Time Zone
GMT+1



Population
37.75 MILLION

Why they buy in Spain

9th

Ranking of foreign nationalities buying property in Spain.
Representing 3.35% of all properties sold to foreign buyers in Spain.

(Registadores de España Q4 2023)

9th

Ranking in Andalucía. Representing 2.73%
of all properties sold to foreign buyers in Andalusia.

(Registadores de España Anuario 2022)

9th

National Ranking of foreign buyers by average transaction
value. The average transaction value in 2022 was 181,919 €

(Registadores de España Anuario 2022)

WHAT DO THEY BUY

21%

NEW BUILD



79%

RESALES

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	AGENTS COMMISSIONS paid by the seller in both cases	4-6%	2-3%, maximum 5% paid by both parties
	ESTATE AGENT LICENCE	None	No
	PROPERTY INFO DISCLOSURE OBLIGATION	Some Ley de vivienda?	No
	FUNDS	Escrow, usually lawyer, rarely agency	Notary Office Payment to the notary's escrow account, Electronic transfer to the seller's account or Payment directly to the seller's account after the signing of the notarial deed
	PUBLIC PROPERTY INFORMATION AVAILABLE	No	Yes
	SIGNING THE TITLE DEED	Notary	Notary
	AGENTS	Yes seller always pays - 2 agents involved -	Yes is usually assigned to the seller
	TECHNICAL INSPECTION ON VILLAS	To be negotiated between the buyer and seller	To be negotiated buyer and seller need to agree
	TYPE OF PROPERTIES	Freehold	Freehold only under specific circumstances it can be leasehold Flats - ownership or cooperative tenancy rights
	OFFERS	Information Offers are not open to the public.	Publicly available Through property portals and agency website
	VIEWINGS	Usually on request	Usually Through estate agents,

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COSTA
DEL SOL

POLAND



HOME STAGING

Not
always

Not always



PRICE SETTINGS

Rely
on agent

Available in the ad,
There is an ad which states
that the price is available from the agent/owner.



VALUATIONS

Licence
valuation companies

Agents
or certified surveyors



CONTRACT

Yes
to reservation contract

Yes

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DIFFERENCES

Real Estate Agent License

In 2014, the real estate brokerage profession was deregulated

There is no general requirement for a real estate brokerage licence in Poland.

In the case of a desire to obtain a licence, the relevant authority is the Polish Real Estate Market Federation

Funds

Payment is always made when the deed is signed at the notary's office. There are three possible payment methods/moments and the choice is up to the parties.

- Payment to the notary's escrow account. The notary then pays the seller the full amount after signing the notarial deed. This option is very often used and costs approximately PLN 1-2 thousand.
- Electronic transfer to the seller's account. In practice, it looks like the parties sign the deed and a quick transfer is ordered. When the transfer is credited to the seller's account, the notary signs the deed -> this procedure is not regulated by law but is very often used in practice.
- Payment directly to the seller's account after the signing of the notarial deed, subject to the enforcement clause of Article 777 of the Code of Civil Procedure -> a very risky option because if the buyer does not have the funds, enforcement will be impossible (or long and expensive).

Public Property Information Available

A land register for each property is available. Anyone with the land register number can check information about the property and the owner. Land and Mortgage Registers are available on paper or electronically

Signing the title deed

Pursuant to Article 158 of the Civil Code - A contract obliging to transfer the property should be concluded in the form of a notarial deed.

If the form is not observed, the concluded agreement will be invalid.

Agents

The function of a real estate agent is usually assigned to the seller. It is rare that the buyer uses the assistance of an estate agent.

Type of Properties

In Poland, single-family houses are bought freehold (freehold) and in the case of flats it is ownership or cooperative tenancy rights.

It is very rare to find a house erected on a plot of land that is leased (Leasehold).

It is very common to see housing estates built on land leased from the city (leasehold).

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Offers

Property purchase offers are publicly available on well-known property portals.

In the case of a property sale conducted by an office, the office often also posts information on its website.

In summary - posting an offer on portals such as Otodom, OLX, Morizon etc. is essential.

Viewings

On request. There is no tradition in Poland to advertise property viewings on one selected day. Usually the owner or agent adapts to the client.

Home staging- Not always. It is popular to include stylish accessories and take away personal items such as photo frames, the child's toys, clothes seen on hangers, etc. but these are rather minor measures.

Price Settings - For the most part, the price is available in the ad. Occasionally there is an ad which states that the price is available from the agent/owner.

Valuations - In the case of a sale with the help of an estate agency, this is usually done by the office. If the sale is direct it is valued by the owner. It is not customary to employ a valuer to value the property.

Contract - preliminary real estate sale agreement is often concluded. In the case of a cash purchase and no loan is required, the final contract is usually signed straight away.

Tax and Fees

On the purchase of the flat, the buyer is required to pay a PCC (civil transaction tax) of 2%. In addition, a notary fee

- A transaction of up to 3,000 is subject to a notarial tax, which is 50% of the maximum rate plus VAT. This gives a maximum of PLN 100.
- A transaction above PLN 3,000 up to PLN 10,000 is subject to a notary's fee, which is PLN 100 plus 3% on the excess above PLN 3,000, plus VAT.
- For transactions above PLN 10,000 to PLN 30,000, the notary's fee is PLN 310 plus 2% on the surplus above PLN 10,000, with VAT added.
- For transactions above PLN 30,000 to PLN 60,000, the notary's fee is PLN 710 plus 1% on the surplus above PLN 30,000, with VAT added.
- For a transaction above PLN 60,000 to PLN 1,000,000, the notary's fee is PLN 1010 plus 0.4% on the surplus above PLN 60,000, with VAT added.
- For transactions above PLN 1,000,000 to PLN 2,000,000, the notary's fee is PLN 4770 plus 0.2 per cent on the surplus above PLN 1,000,000, with VAT added.
- For transactions above PLN 2,000,000, the notary's fee is PLN 6770 plus 0.25 per cent on the surplus above PLN 2,000,000, with VAT added.



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