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## *INHERITANCE OF REAL ESTATE*

*Inheritance Deeds are required to be signed in order to transfer legal ownership of Real Estate Properties.*

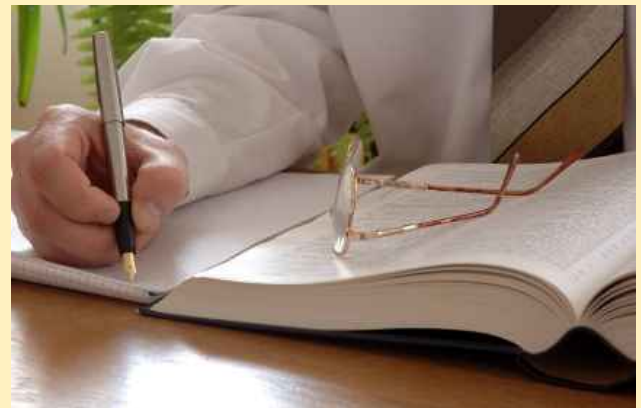
The inheritance of real estate properties is something that all families have to deal with. When a relative dies, and they own property or assets within Spain, it will be necessary to deal with the estate and file the paperwork involved with the appropriate authorities.

Unfortunately, the transfer of legal ownership of real estate properties from the person who died to their relatives is not automatically done; Inheritance deeds must be signed by heirs and also inheritance taxes will have to be paid. Therefore, it is essential to have the right legal and tax advice in order to arrange everything correctly and try to avoid or minimize these inheritance taxes.



In Spain, the acceptance of inheritance must be made by the heirs in the presence of a Public Notary who will keep in his file the original documents and will ensure that the persons who receive the assets are the ones who have legal rights to do so.

Should you have a relative who died and was the owner of a real estate property in Spain and you wish to receive the inheritance, please note that it will be necessary to arrange quite complicated paperwork.



In the Spanish legal system, there are rules governing the distribution of property after death. There are two different types of successions:

A) Testate Succession which arises when the deceased person has expressed his wishes in the form of a will.

B) Intestate Succession which arises when a person dies intestate. In this case, the statutory law rules will govern the distribution of the intestates' estates upon the assumption that people who die intestate would have wished to make provision for beneficiaries. Because they did not make these important decisions while they were capable, these decisions are left up to personal national Law. They could have their property distributed in a way that goes against their wishes.



If you decide to contact us, we can:

1. Advice and guide you in preparing or accepting your Inheritance in Spain.
2. Help you to arrange and collect all required legal documents (true copy of will, certificate on last will signed, death certificate, land registry information, application of Tax NIE numbers for heirs, Town Hall information on the property, etc.)
3. Give advice on Inheritance Tax, and explain the whole procedure for the distribution of the estate.



Our legal fees for assisting you to receive inheritance from a deceased relative will depend on the circumstances and cannot be fixed in advance. Fees and costs vary depending on the work to be carried out and the value of the inheritance. Please do not hesitate to discuss with us your particular case, and we will be pleased to give you an estimate of how much our work will cost, together with inheritance tax and other costs to be paid.

For further information on wills and estates matters, please do not hesitate to contact us at [mail@marbellasolicitors.com](mailto:mail@marbellasolicitors.com). We will be pleased to study your particular case and help you to prepare a will or solve your inheritance legal issues.

4. Assist you at the Notary Office when you sign your Inheritance deeds.

5. Help you to receive and register in your name the real estate properties, and arrange Spanish inheritance deeds where a relative has died with or without having a will.


6. Advise you on Inheritance Tax planning and if necessary on the creation and administration of Trusts.





**Marbellasolicitors, SLP**  
is regulated by The Law Society

**MarbellaSolicitors**



 (00 34) 952 901 225

 (00 34) 952 901 226

 (00 34) 646 776 118

 [mail@marbellasolicitors.com](mailto:mail@marbellasolicitors.com)

## **Marbella**Solicitors

Plaza Marqués de Salamanca,  
Local 12

29601 - MARBELLA

 [mail@marbellasolicitors.com](mailto:mail@marbellasolicitors.com)

[www.marbellasolicitors.com](http://www.marbellasolicitors.com)

## **Nerja**Solicitors

Almirante Carranza, nº 40,  
Local 2

29780 - NERJA

 [mail@nerjasolicitors.com](mailto:mail@nerjasolicitors.com)

[www.nerjasolicitors.com](http://www.nerjasolicitors.com)

## **Manilva**Solicitors

Antonio Gala, nº 1  
Urb. María Teresa, Local 5

29692 - MANILVA

 [mail@manilvasolicitors.com](mailto:mail@manilvasolicitors.com)

[www.manilvasolicitors.com](http://www.manilvasolicitors.com)

## **Madrid**Solicitors

Agustín Durán, nº 35

Local Bajo

28028 - MADRID

 [mail@madridsolicitors.com](mailto:mail@madridsolicitors.com)

[www.madridsolicitors.com](http://www.madridsolicitors.com)

## **Malaga**Solicitors

Alameda de Colón, nº 12

Escalera 1 - 2ºC

29001 - MALAGA

 [mail@malagasolicitors.com](mailto:mail@malagasolicitors.com)

[www.malagasolicitors.com](http://www.malagasolicitors.com)