

Frequently Asked Questions – Immovable Property

Buying Property

Q1. I have been told by my estate agent / lawyer / developer that “things are done differently in Cyprus”, is that true?

The process of buying property either in the north or south of the island is similar to that in the UK and most developed countries, yet there are many pitfalls for the unwary, particularly if you are buying off plan. Unlike the UK, where property buyers’ solicitors carry out various plan and title searches automatically, no such „standard“ methods of working are in common use in Cyprus. Some lawyers will guide you through the process, others will not. It is essential that you:

- Appoint an independent lawyer who is experienced in property conveyancing. (See Q3.)
- Ensure that he/she carries out the required tasks to safeguard your interests. (See Q4.)
- Do not sign any papers or hand over any money until you have taken independent legal advice.

You should note that the Cyprus legal systems in the north or south are different to that in the UK and that the process of achieving legal redress in Cyprus can be very protracted. A list of English speaking lawyers is available on the [High Commission's website](#)

Q2. I have been told that it is now safe to buy property in the north of Cyprus. Is this true?

The ownership of many properties is disputed in northern Cyprus, with many thousands of claims to ownership of properties from people displaced during the events of 1974. Purchase of these properties could have serious financial and legal implications. The European Court of Human Rights has ruled in a number of cases that owners of property in northern Cyprus before 1974 continue to be regarded as the legal owners of that property. Purchasers could face legal proceedings in the courts of the Republic of Cyprus, as well as attempts to enforce judgements from these courts elsewhere in the EU, including the UK. Property owners and potential purchasers should also consider that a future settlement of the Cyprus problem could have serious consequences for property they purchase (including the possible restitution of the property to its original owners). In particular, prospective purchasers should consider the implications of any future settlement on land / property:

- in the north that was Greek Cypriot owned
- that was subsequently classified as exchange land / property by the Turkish Cypriot "authorities".

The leaders of both communities started settlement negotiations in September 2008. Property issues form a key part of these negotiations. Until those negotiations are concluded and a comprehensive settlement agreed, the issues and risks identified above will continue to apply.

If you have purchased a property and are encountering difficulties, you should seek qualified independent legal advice on your rights and methods of redress. The Foreign and Commonwealth Office and the British High Commission do not offer legal advice nor become involved with property disputes between private individuals, although we may be able to direct British nationals to organisations who may be able to help.

In addition, purchasers should ensure that they are fully aware of the specific Turkish Cypriot rules on foreigners purchasing property in the north including the requirement to obtain consent to the transfer of property.

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You are advised to proceed with caution and to seek qualified legal advice from a source that is independent from anyone else involved in the transaction, particularly the seller, before purchasing property.

On 20 October 2006, an amendment to the Republic of Cyprus criminal code relating to property came into effect. Under the amendment, buying, selling, renting, promoting or mortgaging a property without the permission of the owner (the person whose ownership is registered with the Republic of Cyprus Land Registry, including Greek Cypriots displaced from northern Cyprus in 1974) is a criminal offence. The maximum prison sentence is 7 years. The amendment to the law also states that any attempt to undertake such a transaction is a criminal offence and could result in a prison sentence of up to 5 years. This law is not retrospective, so will not criminalise transactions that took place before 20 October 2006.

Furthermore, documents relating to the purchase of property in northern Cyprus will be presumed by the Cypriot authorities to relate to the illegal transfer of Greek Cypriot property and may be subject to confiscation when crossing the Green Line. Anyone in possession of these documents may be asked to make a statement to the Cypriot authorities and could face criminal proceedings under the 20 October 2006 amendment. The full implications of this legislation are not yet clear. Any enquiries about its scope should be made to the Republic of Cyprus High Commission in London (Tel: +44 20 7499 8272), or to the Ministry of Foreign Affairs for the Republic of Cyprus (Tel. +357 22 401000)

Q3. I am thinking of retiring to Cyprus and want to buy property on the island. How can I minimise the risks?

Ensure that you consult a qualified lawyer who is fully independent of the estate agent, vendor and developer before making any financial commitment to purchase land or property. Please also see Q4 below about the role of your lawyer.

Q4. How can an independent lawyer help?

As a minimum, you are advised to instruct your lawyer specifically in writing to carry out the following services. You should also ask your lawyer to advise you whether any additional services are required. You should agree all fees in advance.

For all types of property

- Confirming that the person selling the property is its legal registered owner.
- Confirming that the property is free from **any** encumbrances (such as a mortgage) and prohibitions.
- Confirming that the vendor is in a position to deliver title of the property to the purchaser.
- Ensuring there is free and legal access to the property from a public highway
- Ensuring that electricity and other services are available.
- Making the relevant property searches.
- Property taxes.
- Drafting, negotiating and finalising the legal contracts.
- Stamping and depositing the signed contract at the Land Registry.
- Applying to the Council of Ministers for permission to purchase where necessary.
- Ensuring that town-planning proposals do not affect the property.
- Transferring ownership of property and the payment of Property Transfer Fees.
- Advising on any issues arising from the above.

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For „off-plan“ property (property that is bought before it’s been built or during construction)

- Establishing the credentials and credit worthiness of the developer.
- Confirming that the necessary Town Planning Permission and Building Permits have been issued for the construction of the property.

For resale property

- Ensuring that the property is shown on the Title Deed.
- Obtaining an independent valuation
- Obtaining a property survey.

For land

- Establishing the precise location of the land.
- Establishing that the land may be used for the buyer’s intended purpose.
- Obtaining a survey of the land to assess its suitability for the buyers intended purpose.

For properties sharing common facilities such as entrance halls, stairways, exterior walls, swimming pool, tennis courts, gardens, etc.

- Determining whether the required administrative committee for the management of the common areas has been established.
- Drafting and finalising the legal contracts associated with the payment of management fees and insurance of the common facilities.

Q5. Can you recommend a lawyer?

We are unable to recommend a lawyer; but the High Commission does maintain lists of lawyers who operate in English in the north and south of the island. Note that lawyers in the north do not have professional liability insurance and it is not mandatory in the south. If you require a list of lawyers send an email with the words “lawyers north” or “lawyers south” as appropriate to nicosia.consular@fco.gov.uk.

Q6. There are estate agents on every corner in Cyprus. Can you recommend one?

We cannot recommend a specific estate agent, but we would advise you to ensure that the estate agent is licensed either in the north or south as appropriate. A list of licensed Real Estate Agents in the Republic of Cyprus may be obtained from the Cyprus Real Estate Association, P O Box 21455, Nicosia. Tel. +357 25-367467, email solo@cytanet.com.cy.

Q7. I am concerned about property construction standards in the north. Is there a professional body for builders?

Ensure that the builder is a member of the Cyprus Turkish Construction Contractor’s Association. It is illegal for a company to begin construction unless it is a registered member of the Association.

Q8. How do I get my property valued or surveyed in the Republic of Cyprus?

There is an independent organisation for valuing properties:

Association of Valuers & Surveyors

PO Box 20724

1663 Nicosia

Tel: 22 751221/25 368757

Contact name: Mr. Varnados Pashoulis

Email: var@cytanet.com.cy

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Q9. Is there a limit to the amount of property I can purchase?

The Republic of Cyprus

If you are a national of an EU member state and are resident in Cyprus, you are allowed to own as much immovable property as you wish.

If you are a non-resident national of an EU member state, you are permitted to own as much land as you wish. But if you wish to own immovable property, you are restricted to one house or one apartment for which approval is needed from the Council of Ministers.

For non-resident EU citizens, the purchase of any type immovable property in Cyprus is subject to the permission of the Council of Ministers.

Regardless of your residential status, if you are a national of a country, which is not an EU member state, you will need approval from the Council of Ministers before you are allowed to own property.

Further information on the subject may be obtained from Headquarters, Lands and Surveys Department, Ministry of Interior, Republic of Cyprus, Nicosia, or from the District Lands Office of the district in which the property is situated.

Similar approval is required in the north. A maximum of one donum of land (1,000 square metres or about 1/3 acre) is the normal limit.

Q10. Are there any books available about buying property on Cyprus?

The following books may help you. However, you should note that The High Commission is unable to recommend any of these books and is unable to verify whether the advice that is given within them or the associated web-sites is correct. You should also not rely solely on these or other books about buying property; you must ensure you obtain independent legal advice.

[Buying a Property: Cyprus \(Buying a Property\)](#) by Paul Hellander and John Howell (Paperback - 1 Jun 2005)

[Buying a Home in Cyprus \(Survival Handbooks\)](#) by Anne Hall

<http://www.cyprus-property-buyers.com/guide/book.htm> - [Buying a Home in Cyprus](#) by Nigel Howarth (downloadable in .pdf format)

[Buying a Home in Greece and Cyprus \(Survival Handbooks\)](#) by Joanna Styles and Jim Watson (Paperback - Nov 2001)

[Retiring to Cyprus \(Retiring Abroad\)](#) (Paperback) by Pat Yale (Author)

Q11. Are there any useful web-sites that I can consult?

Home Buyers' Pressure Group <http://www.hbpg-trnc.net>

Guide to home buying & Cyprus property investment: <http://www.cyprus-property-buyers.com>

The Cyprus Property Action Group website <http://www.cyprus-property-action-group.net>

The Just Landed Guide to Cyprus Property

<http://www.justlanded.com/english/cyprus/topics/property>

Property Problems

Q12. Is there a community association I can consult about my property problems?

For purchasers in the south; you may find the Cyprus Property Action Group website helpful;

<http://www.cyprus-property-action-group.net>.

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For purchasers in the north; you may find the Home Buyers' Pressure Group website helpful;
<http://www.hbpg-trnc.net>.

Q13. I am unhappy with the advice that my lawyer has provided. What can I do?

Complaints against lawyers practising in the south of Cyprus should be addressed to:

The Cyprus Bar Association

Office Address Florinis 11, Office 101, 1st Floor
1065, Nicosia, Cyprus

Postal

Address

P.O. Box. 21446

1508, Nicosia

Cyprus

Office phone

number

+357 22873300

Fax number +357 22873013

Email address cybar@cytanet.com.cy;

cybar2@cytanet.com.cy

Website address <http://www.cyprusbarassociation.org>

Complaints against any lawyer practising in the north of Cyprus may be made in writing to:

The Bar Association

Office Address Muftu Ziyai Street No.8

Nicosia, Cyprus

Office phone

number

+90 392 22 70841

Fax number +90 (392) 22 70840

Email address kktcbarolarbirligi@hotmail.com

Website address <http://www.kibristurkbarolarbirligi.com/>

Q14. How can I obtain the title deeds for my property?

The Homebuyers' Pressure Group <http://www.hbpg-trnc.net> provides information for people in the north of Cyprus who have not received their title deeds.

For purchasers in the south; you may find the Cyprus Property Action Group website helpful;
<http://www.cyprus-property-action-group.net>.

Q15. I have purchased a property off plan but my house has not been completed / does not look as though it will be completed. What should I do?

Do not part with any more money until you have appointed an independent lawyer who can advise you of your rights and methods of redress (See Q3 and Q4.)

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