

How to buy an apartment in Serbia in 10 steps?



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Guide for foreign citizens

In the field of residential real estate, CBRE Serbia is the exclusive sales representative for numerous projects in Belgrade, providing the overall assistance to the clients during the selection of apartment and purchasing process (gathering and checking the necessary documentations, finishing administrative tasks, signing the Sales and Purchasing agreement) as well as assisting in the process of transferring the ownership over the purchased apartment. In addition, CBRE may help you rent the property afterwards and undertake all necessary property management activities so as to market your property and ensure continuous return on investment.

Should you decide to buy an apartment in Serbia, the steps are as follows:

- ❶ Choose a Serbian attorney to whom you will give a PoA for the sales process (the PoA should contain precisely stated activities that can be undertaken by the lawyer)
- ❷ Your Serbian attorney will draft bilingual PoA (Serbian and English) and send it to You
- ❸ The sent PoA should be translated into English and Your first language and notarized by notary in Your country
- ❹ The translated PoA must be provided with Apostille in court and sent back to Serbia
- ❺ The PoA sent from Your country along with Apostille must be translated into Serbian by court interpreter
- ❻ Your Serbian attorney will sign S&P Agreement
- ❼ You will pay the sales price from Your country directly
- ❽ Your Serbian attorney will do the handover of the apartment and register you as the owner in the Cadaster
- ❾ You should name Tax attorney in Serbia who will guarantee that you will fulfill your tax duties (you will give PoA to your Tax attorney and put a deposit for the related taxes)
- ❿ Your Tax attorney will pay taxes on your behalf
 - In the case where the tenant is a natural entity, the tax on capital will be paid by the lessor, ie. Foreign citizen owner of the property, by his tax representative
 - In the case where the tenant is a legal entity, the tax on capital will be paid by the lessee (a legal entity) on behalf of the lessor, ie. Foreign citizen owner of the property

CBRE Serbia will put at your disposal the professional team that can offer all necessary services related to the Lease of your property (Residential – Lease sector) and range of services pertaining to the property (Property Management sector).

Detailed guide to the purchase process

Possibilities of acquiring the right of ownership on the real estate properties in the Republic of Serbia for foreign citizens

Foreign individuals and legal entities in the Republic of Serbia are able to, under the conditions of reciprocity, acquire ownership on the apartments and residential buildings, under the same conditions as the citizens of the Republic of Serbia.

The list of countries with established reciprocity is published on the website of the Ministry of Justice, on the following link: <http://www.mpravde.gov.rs/tekst/812/uzajamnost-.php>

Necessary documentation for the conclusion of the Sales and Purchase agreement

The S&P agreement is concluded in the form of public notary document in front of an authorized public notary who is in charge for the municipality where the property is located. The public notary document is compiled in Serbian language.

In addition to the documentation submitted by the investor or owner of the real estate property, the buyer – a foreign citizen, in your case attorney whom you have provided with PoA, is required to submit a passport as a document to establish his identity.

Acquisition of the ownership rights - registration in the Cadaster

The buyer – foreign citizen, in this case your attorney, acquires the ownership right on the immovable property by registering his right in the real estate Cadaster. Department of the Cadaster in charge for the registration of ownership rights is determined according to the location of the subject property.

The procedure is as follows:

- Required documentation – S&P Agreement in the form of the public notary document (original or certified copy), a photocopy of passport, an explicit and unconditional consent of the seller that the buyer can enter his ownership right (clausula intabulandi),

- Application for registration of ownership rights – Application for registration should contain the name of the Department of the Cadaster in charge, to whom the request is sent, information about the subject (the content) of the Application, information about the Applicant (name and surname, ID number/ passport number) and the signature of the Applicant,
- Payment of the fees – it is necessary to pay the republic administrative fee for the Application and the appropriate fee for the service of the Republic Geodetic Authority. The fees are EUR 2.5 and EUR 70 in RSD equivalent.

Taxes related to the lease of the real estate property

When foreign citizen leases the real estate property it is necessary:

- To open a foreign exchange account in Serbia
- To name a tax attorney who will guarantee that the property owner, who is a foreign citizen, will fulfill the tax obligations to the Serbia

In the case where the tenant is a natural entity, the tax on capital will be paid by the lessor, i.e. foreign citizen owner of the property, by his tax representative

In the case where the tenant is a legal entity, the tax on capital will be paid by the lessee (a legal entity) on behalf of the lessor, i.e. foreign citizen owner of the property.

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