tax lawyers & architects

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UNITED STATES → SPAIN

Investing in real estate in Spain from the United States

Plan first. Buy later.

Legal, tax, inheritance and financial aspects for US investors in Spain



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The investment begins before ownership.

The first question is not "what house should I buy?", but "what do I want to achieve in Spain?"

01
RESIDENTIAL USE
Second home or residence future

02
PROFITABILITY
Rent and income stream

03
INVESTMENT
Revaluation and future

04
HERITAGE FAMILIAR
Conservation and transmission

05
RESIDENCE FUTURE
Personal project

The objective determines the legal, tax, inheritance and financial structure

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How do I want to be in Spain?

Real estate investment ≠ right of stay or residence

01
SHORT STAY

Non-resident · up to 90 days

02
NON-PROFIT RESIDENCE

NLV · no work activity

03
INTERNATIONAL REMOTE WORK

Digital nomad

04
OTHER WAYS

Work · family · entrepreneur

Immigration residency ≠ tax residency. They must be coordinated.

The old residential route for real estate investors ended on 3/04/2025.

Buying a home does not grant residency

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The golden rule: plan before you book

Buyer first. Property second.

1 PLAN	2 FINANCE	3 LOOK FOR	4 RESERVE	5 BUY
Tax · Property · Immigration · Legal	Capacity · Currency · Calendar	Suitable asset	Revised and conditional contract	Notary · Registry · Taxes

TAX · ASSETS · FINANCIAL · LEGAL

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Who should buy?

NATURAL PERSON

Simplicity

Personal taxation

Use and direct succession

COUPLE / FAMILY

Shared ownership

Matrimonial property regime

Estate planning

COMPANY / LLC

Spain-USA Taxation

Personal use vs. investment

Costs and future exit

A US LLC is not automatically the optimal structure for acquiring in Spain.

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Taxation: looking at the entire investment cycle

BUYS
Acquisition taxes

RENT
IRNR · assets

RENT
Yields

TAX RESIDENCE · USE · STRUCTURE · AUTONOMOUS COMMUNITY

INHERITANCE
Successions and transmission

SALE
Capital gain

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Estate and family planning

SPOUSE · CHILDREN · PERCENTAGES · WILL · TAX RESIDENCE

1. Who will inherit the property?
2. What is the asset titled?
3. What matrimonial property regime exists?
4. Will there be a change of residence to Spain?
5. How to coordinate Spain and the US?

Succession planning takes place before the investment, not after.

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Financing and currency: prepare before committing

CASH
Liquidity

SPANISH MORTGAGE
Pre-approval · valuation

US FUNDING
Credit · assets · equity

MIXED
Combination

DEBT CAPACITY · APPROVAL TIMEFRAMES · CONTRACTUAL CONDITIONS

PAYMENT SCHEDULE · USD/EUR EXCHANGE RATE RISK

If the purchase depends on financing, the protection should be negotiated before signing.

Source of funds: having the money is not enough



POSSIBLE ORIGINS

Salary · investments · dividends · sale of property · inheritance · documented loan

ADVANCE PREPARATION

Bank statements · documents · declarations · transfer chain

"The worst time to explain the origin of the funds is three days before the notary's office."

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International documentation: Prepare it before booking

01 Valid passport

02 NIE for interests economic

03 property regime and ownership

04 Power of attorney

05 Company / LLC: formation , directors , beneficial owner

06 Apostilles and official translation

Documentation ready → faster operation → less friction

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After planning: now, due diligence

01

LAND REGISTRY

Ownership, mortgages, liens, usufructs

02

CADASTRE

Description, area, cadastral reference

03

TOWN PLANNING

Licenses, extensions, use, restrictions

04

PHYSICAL REALITY

Match between built and documentation

REGISTRY + CADASTRE + URBAN PLANNING + REALITY

United States and Spain: it's not the same closing

USA

REALTOR

↓

INSPECTION

↓

TITLE

↓

SCROW

↓

FINANCING+CLOSING

SPAIN

LAWYER

↓

REAL ESTATE AGENT

↓

RESERVATION / PRIVATE CONTRACT

↓

LEGAL AND TECHNICAL DUE DILIGENCE

↓

NOTARY · REGISTRY

THERE IS NO SCROW ACCOUNT IN SPAIN

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Why plan before you buy?

If you choose the property first, you enter a dangerous race against time.

01



YOU FALL IN LOVE

You find the property first and want to secure it immediately.

02



TIME STARTS RUNNING

The seller expects a quick reservation and the pressure begins.

03



NO ESCROW ACCOUNT

In Spain, deposits are often paid to the agent or seller, not to a neutral escrow account.

04



TOO LITTLE REACTION TIME

Now there is little time to decide whether to buy personally, jointly or through a company.

05



INTERNATIONAL BUREAUCRACY

NIE, source of funds, banking, corporate documents, apostille and translations can delay everything.

Plan first. Otherwise emotion, pressure and cross-border bureaucracy will make decision-making harder.

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Why you need a multidisciplinary lawyer

Buying in Spain is not only a real estate transaction. It also involves tax, finance, immigration and personal planning.

01



REAL ESTATE

Title, contracts, due diligence, deposits, notary and registration.

02



TAX

Purchase taxes, holding costs, rental income, sale and inheritance planning.

03



FINANCE

Funding structure, mortgage timing, source of funds and cross-border payments.

04



IMMIGRATION

Visa strategy, stay in Spain, NLV, digital nomad and residency planning.

05



PERSONAL / FAMILY

Buy as individual, couple or company; family, succession and ownership decisions.

The right lawyer protects not only the property, but the entire investment strategy.

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The lawyer: the first call, not the last

Buying in Spain is not only a real estate transaction. It also involves tax, finance, immigration and personal planning.

TOO LATE
You find the property first



Find a property
You fall in love with it



Pay a reservation fee
Normally to a non-escrow account



Time pressure
Short deadlines to sign the contract



Limited options
Not enough time to analyse personal or corporate structure, finance or tax implications

You are committed, the time runs against you, and your options are limited.

THE RIGHT APPROACH
Plan first, then search



1. Strategy & planning
Define objective and personal situation



2. Structure
Individual, couple or company (LLC)



3. Finance
Funding, timing and source of funds



4. Immigration
Stay in Spain, NLV, digital nomad, etc.



5. Search & reserve
Now you are ready to find and secure the right property

You control the process, you have more options, and you make informed decisions.

REAL ESTATE
Title, contracts, due diligence, deposits, notary and registration.

TAX
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IMMIGRATION
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The method: 7 steps to invest and reside in Spain

1 AIM	2 PLAN	3 STRUCTURE	4 FINANCE	5 FUNDS	6 VERIFY	7 BUY
What do I want to achieve?	Tax · inheritance · immigration · legal	Who buys	How to pay	Origin and documentation	Due Diligence	Notary · Registry · Taxes

PLAN FIRST. BUY LATER.

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SCAN TO DOWNLOAD

