



Fuster & Associates

PRIME LAW

2017 GUIDE TO RECLAIMING PLUSVALÍA TAX IF YOUR SPANISH PROPERTY WAS SOLD AT A LOSS

If you have sold a property in Spain then it is highly likely that you were charged plusvalía tax by your municipality.

WHAT IS THE PLUSVALÍA TAX?

The plusvalía tax is a property tax which is calculated based on the land (cadastral) value and the length of time the property has been owned for.

The way the tax is calculated becomes a problem for the property owner when sold at a loss.

Thanks to new rulings you are able to reclaim this tax and get back what you were unfairly charged.

HOW TO MAKE A CLAIM...

HAVE YOU SOLD YOUR PROPERTY AT A LOSS?



NO

YOU DON'T HAVE A CLAIM
Unfortunately, if you haven't sold your property at a loss then you're not entitled to reclaim the plusvalía tax.

YES

YOU HAVE A VALID CLAIM
You shouldn't have been charged the plusvalía tax when you sold your property and will be able to reclaim the money.



WRITE A LETTER TO YOUR TOWN HALL

Write a letter to the town hall asking for a refund on the overpaid plusvalía tax, as well as informing them how much was paid when the sale took place.

THE ADMINISTRATIVE APPROACH

1

START THE ADMINISTRATIVE APPEAL

Your written letter will start the administrative claim process and your town hall will have to respond to the appeal letting you know the steps going forward.

RECURSO DE REPOSICIÓN

Your town hall will then have to respond with a deadline, the terms and the steps towards making an administrative appeal (recurso de reposición). Some town halls don't have access to the economic administrative court so they may not allow this.

2

3

ECONOMIC ADMINISTRATIVE TRIBUNAL

Your claim will then go to the Tribunal Económico Administrativo; the body that deals specifically with reclaims.

HAS YOUR APPEAL BEEN DECLINED?

YES

NO

END OF ADMINISTRATIVE CLAIM

These steps outline the administrative approach and you'll receive a refund for the overpaid tax.

THE JUDICIAL APPROACH

If the desired results have not been achieved through the administrative approach then we must take our reclaim to the Spanish Courts.



CONTACT FUSTER & ASSOCIATES

Get professional legal representation, our multilingual legal team can make sure you take the s route towards reclaiming your money.

The core values of the firm are, and will always be; efficiency, professionalism, friendliness and honesty...

...so you are ensured the best possible service with your reclaim.



RECLAIM PLUSVALÍA TAX

After following the steps outlined you will then receive your overpaid tax.

For more information visit:

www.fuster-associates.com/reclaim-plusvalia-tax