



GOYA LAWYERS

Rental law changes

By Montserrat Pérez González

If you have a property that you want to rent or are renting in Spain, or on the contrary, you live in Spain in a rented flat, you will be interested in the changes that have taken place recently in Spanish legislation.

or seven years, if it's a company. So, if you are a tenant, you can rent the property for up to a total of five years, or seven years if you're renting from a company or entity like a bank. If you are the owner of an apartment and you want to rent it, you have

are dealing with a company, whereas, if the name and surname of the person renting the flat appears in the contract, without containing the acronym, it will be a private individual.

Finally, what do we do if the person who wants to rent the apartment tells us that the duration will be less than five or seven years? When we find ourselves in this situation, if you are a tenant, the Law authorises you to ask the owner to continue the contract until the minimum terms are reached, although if you are the landlord, you are obliged to extend the contract. For example, if it's agreed by the parties that it will last three

years, the landlord has the obligation to extend the rental by two more years, if it's a private individual, or four more years, if it's a company, and thus comply with the minimum periods established by law, even if there is opposition from the landlord. If you still have any doubt about a claim related to your rental contract, current or prospective, you can contact us by phone on 922 797 500 or by email english@gylegal.es (www.goyaabogados.com). ■



↑ Always check the small print

One of the novelties of the new reform of the Law on Urban Leases is the length of the contracts, which have been extended for contracts signed after December 19, 2018. Prior to the reform, housing rental contracts had a minimum duration of three years, so any duration could be established but should always last a minimum of three years. Now, contracts will have a minimum duration of five years, when the letting owner is an individual,

the obligation to maintain the rental contract under these terms.

Now, do we know if it is an individual or a company that rents the flat to us? In this case, if the acronym 'S.L' or 'S.A.' appears in the contract, you

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↑ Are you prepared for the brexit? This website may help

SPANISH GOVERNMENT INITIATIVE OVER BREXIT

New web resource for Brits in Spain

The British embassy welcomes the Spanish government's new web resource for UK nationals in Spain, and no doubt British citizens worried about the Brexit with its continuing uncertainty, will welcome it too.

No matter how much information we can glean from the British Embassy and Consular officials who really are working exceptionally hard to keep us informed, there is always that nagging doubt over whether the Spanish government will actually continue to accommodate us following Brexit, and on what terms. Well now we have, so to speak, got it straight from the horse's mouth.

On January 14, the Spanish government launched a new, dedicated section on the Moncloa (Spain's equivalent to Number 10 Downing Street) website to inform UK and Spanish citizens and businesses on how to prepare for when the UK leaves the EU. The new site, <http://www.lamoncloa.gob.es/lang/en/brexit/Paginas/index.aspx> is

available in Spanish and English, and covers areas including residency, healthcare, voting rights and education. All UK nationals in Spain are encouraged to visit the site to ensure they are prepared for EU exit.

The Spanish government message is clear: UK citizens living in Spain for more than three months must ensure they are correctly registered with Extranjería (the Central Foreigners' Register), to obtain a registration certificate that will be useful in either a deal or no-deal scenario. In the case of an exit with an agreement, the registration certificate will allow you to exercise your rights as set out under the Withdrawal Agreement. The website also says that in the event of an exit without an agreement, the registration certificate will allow British citizens to continue to live in Spain and obtain any new documents required by the Spanish immigration system. For further information on residency visit

the British government site, www.gov.uk/guidance/living-in-spain.

British Ambassador Simon Manley said: "The launch of this new web resource is an important moment and underlines the shared desire of both the Spanish and British governments to ensure that citizens' rights are protected. We welcome its arrival and the accompanying assurances by the Spanish government that UK nationals who have chosen to make their home here will have their rights respected. The UK government has constantly reassured EU citizens and their family members living in the UK that they are welcome to stay even in the event of a 'no deal'. We welcome the fact that the Spanish government is making the same commitment to UK nationals in Spain. We will continue our discussions with our Spanish colleagues on the rights of UK citizens in Spain in order to ensure that all your concerns are addressed." ■

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