

# You create business We deliver solutions

## Newsflash

27 January 2020

## Provisions of Law 4647/2019 concerning the declaration of actual surface (square meters) of real estate properties to Local Government Organizations, without incurring any retroactive consequences and charges.

By virtue of article 51 of Law 4647/2019 real estate property owners are allowed to declare their properties' actual area to the competent Municipality by 31 March 2020, without incurring any retroactive consequences, charges and fines. The declaration of such actual area directly affects the amount of various municipal charges, such as the real estate property duty (TAP), municipal tax and municipal duties.

The aforementioned provision, allowing the real estate area correction, will also facilitate real estate property transfers. More specifically, in order to proceed with any real estate transfer, a certificate issued by the competent Municipality stating that no real estate property duty is due is required. However, such certificate refers to the actual area of the real estate property based on an engineer's certificate.

Briefly set out below are the most important provisions for real estate property owners:

### Beneficiaries

- The provision applies to all real estate property owners who have either not yet declared the area of their properties, or have submitted an inaccurate declaration, or have recently settled their illegal properties but without declaring the additional square meters to the Municipality.

### Time limit

- All real estate property owners may take advantage of this favorable provision and proceed to the respective declaration by 31 March 2020. If the declaration is submitted after the aforementioned deadline, and given that no extension thereof is decided by the Ministry of Interior, then the previous legislation that provided for fines and retroactive charges will be

applicable again (in the case that the data collected by the Hellenic Electricity Distribution Network Operator S.A. are crosschecked with the data collected by virtue of the real estate property statements, i.e. E9).

- These declarations have to be submitted to the income departments of the competent Municipalities by 31 March 2020. However, the Ministry of Interior is also considering to create a special online platform, where the beneficiaries will be able to declare the actual square meters of their properties without having to physically present themselves to the competent Municipalities. The final decision on this matter is expected by the end of January, alongside with the issuance of the relevant circular for the measure's implementation.
- By virtue of this provision, all applicable retroactive charges and fines concerning previous years, which would be calculated on the basis of the newly declared square meters, are being deleted. The calculation of municipal taxes and fees based on the newly declared square meters shall begin from 1 January 2020.

### Procedures

- Concerned parties must provide and submit photocopies of their property's ownership title, settlement certificate (if any), their E9 statement proving their Tax Identification Number, a recent power supply bill and their Identification Card.

### Other Provisions

- A circular by the Ministry of Interior is also expected to be issued, whereby citizens who have voluntarily submitted their properties' surface declarations prior

to the publication of the above mentioned Law (i.e. before 16 December 2019) will be exempted from the obligation to pay any charges or fines, provided that the latter have not already been paid.

- Owners of **real estate properties that are unoccupied and/or not connected to the electricity grid**, but haven't been declared as such to the competent Municipality by omission, had the chance to correct the status of such properties until the end of the previous year, in order to be exempted from retroactive charges concerning municipal taxes and fees. However, according to the Ministry of Interior, efforts are being made to extend this timeframe to 30 June 2020 by law, so that owners will be able to submit these declarations and eventually be exempted from paying municipal taxes and fees for all previous years and until their properties are re-used and connected to the electricity grid.

**Sophia Grigoriadou**

Lawyer/Partner

T : + 30 210 60 62 159

E : [sgrigoriadou@cpalaw.gr](mailto:sgrigoriadou@cpalaw.gr)

**Marie Delli**

Lawyer (Of Counsel)

T : + 30 210 60 62 159

E : [mdelli@cpalaw.gr](mailto:mdelli@cpalaw.gr)

[www.cpalaw.gr](http://www.cpalaw.gr)

This Newsletter aims to provide the reader with general information on the above-mentioned matters. No action should be taken without first obtaining professional advice specifically relating to the factual circumstances of each case.

© 2020 C. Papacostopoulos & Associates, Law firm, independent member of KPMG International Legal & Tax network. All rights reserved.