



stewart®



Global Presence. Local Expertise.

Anguilla*
 Antigua & Barbuda
 Argentina
 Aruba
 Australia*
 Austria
 Bahamas
 Barbados
 Belgium
 Belize (reinsurance only)
 Bermuda
 Brazil
 British Virgin Islands
 Bulgaria
 Canada*
 Chile
 Colombia
 Costa Rica*
 Curacao
 Cyprus
 Czech Republic*

Denmark
 Dominica
 Dominican Republic*
 Dubai
 Ecuador
 El Salvador
 Estonia
 Finland
 France
 Germany
 Greece
 Grenada
 Guam*
 Guadeloupe
 Guatemala
 Honduras
 Hungary
 India
 Ireland
 Italy*
 Jamaica

Japan
 Korea (reinsurance only)
 Latvia
 Lithuania
 Luxembourg
 Macau
 Malaysia
 Malta
 Mexico*
 The Netherlands
 New Zealand
 Nicaragua
 Panama
 Peru
 Poland*
 Portugal
 Puerto Rico*
 Romania*
 Russia
 Saipan
 Singapore

Slovak Republic
 Slovenia
 South Africa
 Spain
 St. Barthelemy
 St. Christopher & Nevis
 St. Lucia
 St. Maarten
 St. Martin
 Sweden
 Thailand
 Trinidad & Tobago
 Turkey
 Turks & Caicos
 United Kingdom*
 - England, Scotland,
 Wales & Northern Ireland
 Uruguay
 Virgin Islands (U.S.)*

* Denotes present Stewart office or agent located in country.

Olympia Olomouc
Olomouc, Czech Republic

Christophe Harbour
St. Kitts

Rogers Communications
Brampton, Ontario, Canada

Budapest Stock Exchange
Budapest, Hungary





Bahia de los Sueños
Baja California Sur, Mexico

Purchasing real estate outside of the U.S. has changed dramatically for American buyers.

Recent changes in the laws of many foreign countries now provide greater freedom and ownership rights for prospective purchasers seeking vacation, retirement, residential, commercial or industrial properties.

While buying property in a charming, foreign country is appealing, real estate laws, rules and customs are much different from those of the United States. Buyers looking for a place to live, work, invest, develop, vacation or retire should familiarize themselves with the basic requirements for investing in foreign real estate.

How does the international real estate process differ from the U.S. process?

In the United States, we rely on title companies or title attorneys to close transactions. Though traditional title companies are not common abroad, Stewart provides title and ancillary real estate services in more than 80 countries. Outside the U.S., parties to the real estate transaction often rely on a notary public or an attorney to provide the transactional services necessary to certify the transfer of title. Public notaries are a bit different from those found in the U.S. in that they are usually attorneys who have a special license from the government to perform real estate transactional and registration duties. However, public notaries do not customarily look at an extended chain of title in their title search, nor are they an easy source for recovery through the local courts in case of any fraud, mistakes or errors in the title or the survey. Moreover, real estate agents in foreign countries typically are not licensed or regulated.

Disclosure and transparency in the real estate process is much more difficult outside U.S. borders. Gaining better knowledge about the property, the procedures and the parties involved will help the process flow more easily and give you peace of mind about your purchase decision. Stewart can be an enhancement to the notarial certification process by performing more complete investigations of the title documents with title insurance backed by real financial fortitude.

Following the recommendations below will help facilitate a successful purchase of foreign property. Together with the advice of an attorney, real estate professional, appraiser, notary public and a Stewart professional, this basic information will help reveal potential issues and challenges in order to reduce future losses and possible litigation:

- Understand and follow the local law concerning real estate purchases
- Obtain the advice and services of a licensed attorney, a registered real estate professional, an appraiser and a Stewart professional
- Request a copy of any existing commitment for issuance of any title insurance policy or assurance on the subject property
- Obtain a copy of the existing public deed, complete with recording information, as well as a current copy of the lien certificate, tax certificate, certificate of mortgage and other limitations on ownership for the subject property
- Check for any ownership restrictions based on national security, usually involving property near national or regional borders or coastlines



Central Most
Prague, Czech Republic

- If you are looking for your own beach-front paradise, check for any restrictions imposed on owning or developing beach-front or island property
- While many countries are liberalizing their laws regarding foreign ownership, some restrictions may still apply; research if there are any restrictions concerning foreigners and/or if you are required to obtain a special permit, tax identification certificate or an alien landholder's license to own the property; in some countries, there are even limitations on the amount of property a foreigner can own
- Obtain a copy of any applicable state and/or municipal development authorizations
- Research zoning, environmental or agricultural laws limiting the types of usage of the property; if you intend to buy property and put a house on it and that area is not zoned residentially, you may have a problem; most municipalities or provinces have an agency that is responsible for providing information on land use
- Determine whether the property or the seller is the subject of any litigation
- If you are buying through the use of a corporate entity, check if there are any limitations concerning foreign ownership; if you are buying an existing corporation or limited liability company, make sure that the entity is in good standing with local, regional or national authorities
- Obtain a copy of any Covenants, Conditions or Restrictions affecting the property, the condominium regime and any homeowners' association by-laws
- Complete your property due diligence – including investigations of ownership, an extended title search and value – prior to your purchase contract or make the purchase contract contingent on those investigations
- Check if there has been a recent survey done on the subject property
- Inspect the property yourself; do not rely on pictures or third-party testimonials
- Determine the imposition and rate of any transfer taxes, stamp duties, value-added taxes or capital gains taxes; these taxes can be quite high
- Enter into a written purchase contract that defines the details and contingencies of the agreement with the seller, including what to do in case you decide not to buy the property
- Place all deposits in a neutral, third-party escrow account, pursuant to a fully executed escrow agreement between the buyer and the seller
- Obtain title insurance coverage at the time of closing with the receipt of required documents obtained from a notary public
- Obtain ownership through a notary public; ensure proper recordation of the deed at the full purchase price affecting transfer of ownership with all applicable municipal and federal registries at the time of title conveyance



Stewart – International Group

For more than a century, people have depended on Stewart to protect their most important asset – their real estate investment. Today, Stewart Title Guaranty Company's International Group builds on that experience delivering global title insurance policies and escrow services in more than 80 countries – spanning Asia, the Americas, Europe and Africa – through our network of regional offices in Australia, Canada, the Caribbean, Europe, Latin America and the U.S.

Policies available to protect the title

- **Owner** – Owner policies protect insured parties from losses due to improperly vested title, defects, liens and encumbrances
- **Lender** – Lender policies cover losses arising from various covered risks including the mortgage being unenforceable and not having the priority as stated in the policy
- **Leasehold** – Offers similar protections as contained in Stewart's Owner and Lender policies, as they relate to leasehold interests.
- **Single-risk indemnities** – A title may have certain known risks that either legally or economically cannot be cured; Stewart has developed policies that insure risk associated with a known title defect
- **Gap coverage** – Gap coverage is a contract of indemnity that provides the lending bank the assurance that its mortgage will be registered in the title registry and the bank will have the first or priority position during the period between the date of its application and the mortgage registration

- **Stewart's Global Advantage Title® (GAT)** – A GAT policy is especially tailored to meet the needs of individuals or companies participating in cross border real estate transactions; the GAT policy is a contract of indemnity controlled by U.S. law and provides many of the same or similar coverages Americans are used to getting in American transactions

For lenders and buyers, even those acquiring property in civil law and Torrens jurisdictions, our services provide a necessary level of security and efficiency that allows them to focus on the economics of the transaction and the qualities of the property without having to worry about complicated title risks. Likewise, sellers and real estate developers have also found that by working with Stewart and marketing their properties with the Stewart trademark, they are facilitating the decision-making and transactional process of buyers.

Stewart. Your Land. Our Business. Worldwide.®

To learn more about Stewart's international capabilities visit international.stewart.com.

DISCLAIMER

Stewart Title Guaranty Company-International Group is not engaged in rendering legal, accounting or other professional advice or services. If legal advice, services or other expert assistance is required, the services of a competent professional should be sought. The information contained herein has been obtained by Stewart from sources believed to be reliable. However, because of the possibility of human or mechanical error, whether by our sources or by others, Stewart does not guarantee the accuracy, adequacy or completeness of any information herein.



**Stewart Title Guaranty Company
International Group**

1980 Post Oak Blvd.
Houston, Texas 77056
(800) STEWART
(713) 625-4100
www.international.stewart.com



Mixed Sources
Cert no. SW-COC-002805
© 1996 FSC

STC
LISTED
NYSE Stewart Title Guaranty Company is a wholly owned subsidiary of Stewart Information Services Corporation.