

Renting in Spain: how to survive and thrive

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Looking for a place to rent in Spain can be a nightmare, but it doesn't have to be that way. In this article, Madrid-based relocation expert Pierre Waters gives us the lowdown on how to avoid some of the more common pitfalls for renters, and fills us in on the implications of Spain's brand new rental laws.

Looking for a rental property in Spain is not for the faint of heart.

Scheming landlords, agents on the take and a lack of clear information are all part of the landscape. But by knowing your rights and playing it smart, you can avoid falling foul of the rental trap.

We spoke to relocation expert Pierre Waters to get his advice on how to find a happy home. Here are his tips:

Pay the right price.

Check the rental price advertised actually include all taxes. This includes the new garbage tax in Madrid, for example, and any of the other new taxes many landlords try to charge tenants.

Taxes are usually included in the property bills, but utility bills are not. Nor any bill linked to your individual consumption.

If you want a good estimate of how much you will be paying in bills, ask the landlord if you can take a look at past bills for the property.

Negotiate on price if you have more options than the landlord, and if the price of the place you are looking at is above the going rate in the market.

Negotiate the minimum mandatory rental period for standard contracts down to six months.

Before June 2013, the minimum rental contract length in Spain was 12 months, but with Spain's new rental laws, this figure has come down to six months.

Most landlords, however, will still aim to lock you in for 12 months.

Remember, too, if you do have to leave before the mandatory period, the law now states the penalty for leaving the flat before the mandatory minimum period is one month rent per mandatory year of the contract not completed.

It is not true that you have to pay until the end of the mandatory period, as many landlords will tell you.

Make sure you can leave after the mandatory period by giving 30 days notice. Again, the contract can state a longer period. Do negotiate back to 30 days when possible, or leverage this to get better conditions.

Be aware of the rental contract deadlines.

The landlord cannot get his property back within the first three years after signing a rental agreement with you.

The only legally permitted exception is when an emergency forces the landlord to take the property back.

This can happen if landlords gets divorced, for example, or if their children find themselves homeless.

After the first three years, the contract is renewed automatically. After four years, though, the rental contract is terminated automatically.

Know that realtors working for the landlord charge you up to one month's rent.

This is the case even if real estate agents do nothing for you, and even if most agents do not actually mention this charge in an advert for a rental property.

It's a good idea to avoid all apartments with agency fees (they have some of the best properties in some expensive areas).

Instead, you should benchmark the different apartments by viewing the one-month agent's fee as part of the rental costs.

Keep the deposit down to a minimum.

The legal minimum deposit is one month for unfurnished apartments and two months for furnished apartments.

Many landlords ask for more, with some wanting up to six months as a guarantee. Negotiate this down to 2–3 months at least, or down to the legal minimum.

This is possible as Spain's new rental law now enables landlords to evict people who don't pay after just six weeks, instead of six months as was the case previously.

Be proactive: prepare your contract, tax declaration or pay slips from the start and prove from the outset to the landlord that you are a quality tenant.

Set your landlord's expectations

Make sure the landlord knows that he or she is responsible for any maintenance resulting from normal wear and tear: a old fridge breaking down after years of service for instance.

You are responsible for any small maintenance costs (under €75 or €50), like painting for instance. From the outset, set expectations and state the legal conditions.

Get a professional (lawyer or real estate expert) to review your contract and set expectations with the landlord if you do not speak Spanish.

Review the inventory of items in the property and make sure you have taken photos and videos.

Leverage knowledge to negotiate

Landlords are now obliged by law to have an energy certificate. They should also declare rent to the tax authorities, and many do not.

Depending on your region, too, property owners should transfer your deposit to a public institution (the IVIMA in Madrid for instance).
Use all of this knowledge to your advantage.

Better safe than sorry

Get rental insurance. This should cost around €100 a year, and sometimes includes a set number of free hours for maintenance people coming to your place every year.

Getting this insurance will keep you zen.

When it's time to leave, be proactive

Ask the landlord to check the state of the property two weeks before your exit date, and say you are now ready to pay all the bills. By doing this, you will be able to talk about any repairs that need to be carried out, and do them as necessary.

Also — and this is key — ask the landlord to give you back the deposit on the day you give back the keys.

Be aware that landlords are legally entitled to keep the deposit for one month. This can be difficult if you are leaving Spain.

Last but not least, property hunting is a full time job.

Finding a place to live will take you a week of full-time work once you factor in everything from searching to viewings and signing the contract.

Either you can invest the time, handle the stress and be ready to read and learn about Spanish rental law, or find a foreign trustworthy relocation professional, who's been through the same issues. Make sure you get the best.

By Pierre Waters

Pierre Waters is the Director of [Moving2Madrid](#), Madrid's property search company for expats, and President of [Guiripreneur](#), the number one community for international entrepreneurs in Madrid.

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