

## the olive press opinion

### *You Were Lucky!*

EVERYONE remembers Monty Python's Four Yorkshiresmen sketch. "There were 'undred an' sixty of us livin' in't shoebox in't middle o' road."

"You were lucky! We liv'd three months in a brown paper bag..."

Anyone who has been brought up in poverty and managed to get out will recognise the occasional temptation to remind grumbling friends how bad they might have had it. The problem. It never comes out well.

While most Spaniards won't have heard of Monty Python, there is certainly a strong element of nostalgic, bloody-mindedness in their attitudes towards conservation and development.

"Before the Sixties we were so poor we had to have the animals in the house for warmth," one neighbour told me recently.

Others will tell you how three or four families often shared a house of three bedrooms. *Casas de vecinos*, they were called.

Unlike in Python, they are not exaggerating. Andalucia really was that poor.

Development in the boom decades of the Eighties and Nineties really did change the lives of millions of Spaniards.

Suddenly most families got a car, a TV set and money to spend on DIY.

Most importantly they had enough money to eat and heat their homes.

Is it any wonder the locals are not as keen on pretty white-washed pan-tiled country cottages?

They bring back bad memories.

In our interview with Juan López de Uralde of Greenpeace on page 9 he recounts being asked by a local journalist in Ronda why he was blocking development for the region, by opposing the huge Los Merinos golf scheme? Accused of sending Andalucians "back to their caves", this is for many people, their biggest fear... and literally in the case of towns like Setenil and Guadix.

The idea though, that untrammelled development must be permitted in order to ensure that crushing poverty never returns here is one that is as widely held as it is barkingly stupid.

It's probably just as likely that over-development in the future may produce as many social problems as under-development caused in the past.

In our part of the world isn't obesity as great a health risk as malnourishment?

Eating too much is caused by greed and habit, eating too little by poverty.

Just like development. Neither's owt to be proud of. But you try telling that to the young people of today and they simply won't believe yer!

### *Marbella Malaise*

You've got to feel sorry for the high flying, jet set inhabitants of the Costa del Sol, frequently referred to as the "California of Europe". OK, they may have their multi-million euro villas, super cars and surgically-enhanced partners, but things haven't been exactly rosy down on the coast recently.

Ex-mayors, magazine publishers and even judges hauled before the courts for corruption (again), Eastern European criminal gangs carrying out smash and grab raids on jewellery stores and professional hitmen settling drug scores in broad daylight. It makes the coast seem more like a scene out of Miami Vice than The O.C.

# Knock'em Down...



**... and name and shame the agents who sold them, says GRAHAM GOVIER, of Inland Andalucia, who estimates that despite 600 agents being fined for selling illegal homes, many are still offering properties likely to be demolished**

I AM continually frustrated by the reporting of the demolition of illegal properties across Spain over the last few months.

Most of you will say "of course you are, you're an estate agent" But it's not for that reason: My frustration is a lack of reporting on the reasons these buyers ended up with these illegal properties in the first place. The situation would certainly not happen in the UK, so why is it happening here?

A simple question with a simple answer: It is the estate agents and lawyers who have allowed these sales to go through. They should be held accountable for their actions and properly named and shamed!

There has always been a secure buying process in Spain, but unfortunately prior to 2007 the real estate industry was unregulated and buyers were reliant upon the integrity of the estate agency and the individual lawyer involved.

There is now legislation, thankfully, which makes it illegal for an estate agency to offer properties for sale unless they have used "due diligence" to check that the title deed is correct in every detail, including relevant licenses.

There is even a special division of the Guardia Civil, which continually visits and checks agents for infringements of the new rules. And it is alleged that over 600 agencies in just the Velez Malaga, Jaen and Granada areas alone have already been fined or are facing prosecution.

Our agency Inland Andalucia

has been visited three times and, as I expected, we received no fine - as we operate correctly.

#### **Ignorant agents**

In addition to the checks on agents, there are also severe penalties for lawyers under the new rules, in regards to any collusion to under-declare the true price paid for a property. This legislation must come as a relief to those considering purchasing a property in Spain at the moment.

Which brings me to the million dollar question. Should these illegal properties be demolished? The answer is 'yes', I believe they should... otherwise the legislation is meaningless. Despite the new rules, I estimate that there are at least 600 illegal properties in the rural areas of Antequera, Puente Genil, Marchena and Arahal still being offered for sale.

BUYER BEWARE. The ignorance of the various agents involved will be no excuse or consolation if you buy and the house is knocked down.

Make sure you are careful and check out who you are dealing with, first. And don't be fooled by the so called "title deed insurance" policies currently being offered by some agencies. My philosophy has always been: "Why waste everybody's time in listing and attempting to sell an illegal property?". There has always been a sufficient supply of legal properties and I have never allowed illegal properties to be offered for sale.

One thing that should be point-

ed out however. There are certainly plenty of "anomalies" with most inland properties, but most issues can normally be resolved prior to the property being transferred to the new buyer.

A typical one is the amount of square metres registered on a title deed, which is often less than what actually exists.

You could relate this to the UK market, where someone has built a conservatory on to their property under a permitted use and then modified it to become an extension to the property. When the property is sold, it would normally be the surveyor or a lawyer for the mortgage company to decide on the legality.

In Spain, if the increased size is less than 20 per cent of the entire property, then by obtaining an architect's certificate, your new title deed is modified to reflect exactly the situation and the authorities update their records.

Most "illegal" properties are found in rural areas. It usually happens when a land owner strips his land of olives or vines, fences off areas and provides a supply of electricity and water.

The plots are normally sold off to middle class Spanish to construct their "weekend retreats".

They mostly don't even bother with a building project, as the local town halls are prepared to turn a blind eye.

Many are eventually legalised and, as long as the rustic land has good title, there is normally little concern.