AUGE HORIZON NOTAIRES | Notaires de France

# QUESTIONNAIRE
# SALE OF A HOUSE

Notaires de France

**This questionnaire must be completed by the seller of a house and returned to the notaire.**
**We can also send you this questionnaire by email upon request.**

*French law and case law require the seller of real property to provide the buyer with information, transparency and numerous warranties. The rules on capital gains also require a preliminary review to determine any tax that may have to be deducted from the sale price. The information below will enable your notaire to prepare the deed of sale so that it accurately reflects your situation and that of your property. This questionnaire also enables your notaire to advise you by drawing your attention to any particular feature of the transaction or any possible tax exemption.*

## SELLER 1

**Surname**
**First name(s)**
**Date and place of birth**
**Town / City**
**Postcode**
**Occupation**
**Nationality**

*If you are a foreign national, please attach a copy of your residence permit and your birth certificate translated into French.*

☐ **Single**
☐ **Widowed**
☐ **Married**
Date of marriage
Town / City
Postcode
*If you entered into a marriage contract or made a declaration of applicable law under the Hague Convention, please attach a copy.*
Place of first permanent residence after marriage

☐ **Divorced**
By judgment of the court of
Dated

☐ **Divorce proceedings pending**
☐ **You have entered into a PACS which is still in force**
*Attach a copy, together with the declaration filed with the court registry or the receipt of registration by the notaire.*
☐ **You entered into a PACS which has since been terminated**
*Attach a copy of the notice of termination.*
☐ **You are a trader, craftsperson or company director**
*Attach proof of registration with the Trade and Companies Register.*
☐ **You are subject to judicial reorganisation, liquidation or cessation of payments**
☐ **You have applied to the personal over-indebtedness commission**

## CONTACT DETAILS

**Postal address**

**Telephone**
**Home**
**Work telephone**
**Mobile telephone**
**E-mail**
**Fax**
**Bank details (RIB) Please provide them.**
**Are you a French or foreign tax resident?** ☐ Yes ☐ No

## SELLER 2

**Surname**
**First name(s)**
**Date and place of birth**
**Town / City**
**Postcode**
**Occupation**
**Nationality**

*If you are a foreign national, please attach a copy of your residence permit and your birth certificate translated into French.*

☐ **Single**
☐ **Widowed**
☐ **Married**
Date of marriage
Town / City
Postcode
*If you entered into a marriage contract or made a declaration of applicable law under the Hague Convention, please attach a copy.*
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## CONTACT DETAILS

**Postal address**

**Telephone**
**Home**
**Work telephone**
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**Fax**
**Bank details (RIB) Please provide them.**
**Are you a French or foreign tax resident?** ☐ Yes ☐ No

## LAND / PLOT

**Is your house part of a housing development (lotissement)?** ☐ Yes ☐ No

**If yes, is there an active owners' association (association syndicale)?** ☐ Yes ☐ No

If so, please give the name and contact details of the association's president:

**Is your house part of a horizontal co-ownership (copropriété horizontale)?** ☐ Yes ☐ No

If yes: - a measurement must be obtained under the 'Loi Carrez'; - please provide the name and address of the managing agent (syndic).

*Attach a copy of the housing-development or co-ownership regulations, the specifications (cahier des charges) and the owners' association statutes. Otherwise, the office will have to obtain copies at your expense.*

**Has your land been the subject of an official boundary survey (procès-verbal de bornage)?** ☐ Yes ☐ No

**Do you own, or have you owned during the last ten years, any adjoining land (built on or not) next to the property you are now selling?** ☐ Yes ☐ No

**Is your land recorded as woodland?** ☐ Yes ☐ No

## SOIL / SUBSOIL - POLLUTION

**Have you carried out any polluting activities on the land?** ☐ Yes ☐ No

**To your knowledge, have polluting activities previously been carried out on the land, or may waste have been stored there?** ☐ Yes ☐ No

**Are you aware of any polluting activities in the surrounding area?** ☐ Yes ☐ No

**Are you aware of any underground quarries beneath your land?** ☐ Yes ☐ No

**Is your house located in a flood-risk area?** ☐ Yes ☐ No

## EASEMENTS

**Are you aware of any particular easements affecting or benefiting your property?** ☐ Yes ☐ No

*(for example: right of way, shared courtyard, prohibition on building, road alignment, etc.) If yes, and your title deed contains no details, please attach the document setting out the terms of the easement and provide a note explaining it.*

**Is there a boundary wall?** ☐ Yes ☐ No

If yes, do you know who is responsible for maintaining it?

**Is your land sloping?** ☐ Yes ☐ No

## DRAINAGE / SEWERAGE

**How is your house's wastewater treated?**

**- by an individual / private system?** ☐ Yes ☐ No

Date of last emptying/service? (please provide the SPANC certificate)

**- by connection to the public mains sewer?**

**Have you received a formal notice requiring works to your installation?** ☐ Yes ☐ No

*If yes, attach a copy.* ☐ Yes ☐ No

**Are there separate connections for rainwater and wastewater?** ☐ Yes ☐ No

**Where connected to the public mains sewer:**

**- is the connection to the public network complete?** ☐ Yes ☐ No

**- has the connection charge been paid?** ☐ Yes ☐ No

**- is your installation in good condition?** ☐ Yes ☐ No

## BUILDING

## CONSTRUCTION

**Did you have the building being sold (or any of the buildings) constructed?** ☐ Yes ☐ No

*If yes, attach a copy of the planning permission, the declaration of completion of works and the certificate of conformity.*

**Were these works completed less than 10 years ago?** ☐ Yes ☐ No

**If yes, did you take out dommages-ouvrage insurance covering the ten-year warranty?** ☐ Yes ☐ No

*If yes, attach the certificate of insurance and payment together with the full policy. Otherwise, attach a list of all contractors who worked on the project, with their addresses and insurance certificates.*

**Were these works completed less than 5 years ago?** ☐ Yes ☐ No

*If yes, please make an appointment with the office and bring your construction file and all invoices so that any VAT to be deducted from the sale price can be calculated.*

**Have all taxes arising from the planning permission been paid?** ☐ Yes ☐ No

*If applicable, attach the payment receipt.*

**Did the planning permission contain any special requirements (for example, transfer of a strip of land to the municipality)?** ☐ Yes ☐ No

*If yes, attach a copy.*

## WORKS CARRIED OUT AFTER CONSTRUCTION

**Have you carried out any subsequent works that altered the exterior appearance, increased the floor area of the house or other buildings, or changed the use of any part of them?** ☐ Yes ☐ No

**Were these works subject to planning permission or a prior works declaration?** ☐ Yes ☐ No

## LOCAL TAXES (DECLARATION H)

**Following these works and/or alterations, did you file a declaration with your tax office (cadastral service)?** ☐ Yes ☐ No

## FIXTURES AND EQUIPMENT

**Are any items of equipment in your house still under warranty (boiler, air conditioning, appliances included in the sale, etc.)?** ☐ Yes ☐ No

*If yes, attach copies of the warranty contracts or invoices.*

## EXISTING CONTRACTS RELATING TO THE PROPERTY

## TENANCY

**Will the house be vacant on completion?** ☐ Yes ☐ No

**Has it previously been rented out?** ☐ Yes ☐ No

*If yes, attach a copy of the tenancy agreement and the original notice given by the tenant, or the notice served by you. If the house is sold with a tenant in occupation, also attach all annexes and amendments, the latest rent receipt and the amount of the security deposit.*

## ADVERTISING

**Is the house subject to an advertising display contract?** ☐ Yes ☐ No

*If yes, attach a copy of the contract and the latest receipt for payment of the fee.*

## ALARM

**Is the house subject to an alarm or monitoring/intervention contract?** ☐ Yes ☐ No

*If yes, attach a copy of the contract showing the current charges. All information necessary to operate the system will need to be passed to the buyer.*

## OTHER CONTRACTS

**Is the house subject to any other contracts (boiler maintenance, chimney sweeping, pest control, gas supply, etc.)?** ☐ Yes ☐ No

*If applicable, attach copies of those that may be taken over by the buyer.*

**Are any items of equipment still under warranty?** ☐ Yes ☐ No

*If applicable, attach copies of invoices or warranty certificates.*

## LEGAL PROCEEDINGS

**Are you involved in any legal proceedings concerning your house?** ☐ Yes ☐ No

*If yes, attach a note explaining the nature of the proceedings, the parties involved and their current stage.*

## TAX INCENTIVE

**Has the property been subject to a rental commitment linked to a tax incentive (Besson, Malraux, Robien, Duflot, Pinel, ANAH grants, etc.)?** ☐ Yes ☐ No

If yes, which one:

## HEATING

**Does the house have an oil tank?** ☐ Yes ☐ No

**Is it connected to mains gas?** ☐ Yes ☐ No

**Is it connected to a gas tank?** ☐ Yes ☐ No

**Do you own the gas tank?** ☐ Yes ☐ No

**Do you rent the gas tank?** ☐ Yes ☐ No

*(If there is an oil tank, agree with the buyer whether the remaining contents are to be reimbursed.)*

If yes, give the company's contact details:

## RAINWATER HARVESTING

**Does your house have rainwater harvesting equipment?** ☐ Yes ☐ No

**A rainwater storage tank?** ☐ Yes ☐ No

**A rainwater distribution system?** ☐ Yes ☐ No

**If yes, have you:**

**- installed a warning/signage plate?** ☐ Yes ☐ No

**- kept a sanitary maintenance log for this network?** ☐ Yes ☐ No

- Date of the last network maintenance:

## LOANS - MORTGAGES

**Are foreclosure proceedings currently under way in respect of the property being sold?** ☐ Yes ☐ No

**Have you taken out one or more loans secured by a mortgage over the property being sold?** ☐ Yes ☐ No

**Do you have a bridging loan pending the sale of this property?** ☐ Yes ☐ No

*If yes, for each loan attach a document showing the bank's address and the loan reference so that the office can obtain a redemption statement, or confirmation that the loan has been repaid.*

## CAPITAL GAINS

**Is the property being sold your main residence?** ☐ Yes ☐ No

If yes, since when?

**If not, please answer the following questions:**

**Are you selling it in order to reinvest the proceeds in the purchase of your main residence?** ☐ Yes ☐ No

**Are you retired or disabled and on a modest income?** ☐ Yes ☐ No

**If the property is not currently your main residence, have you carried out extension, construction or improvement works?** ☐ Yes ☐ No

*(Maintenance and repair works are not taken into account.)*

**If you received the property by gift or inheritance, did you personally pay the transfer/inheritance duties?** ☐ Yes ☐ No

*If yes, attach a copy of the inheritance tax return or deed of gift. In all cases, attach a copy of the notarial completion statement relating to the acquisition.*

## INSURANCE CLAIM / COMPENSATED LOSS

**Has an insurance payment been made for damage to your property recognised as a natural disaster (an official natural-disaster order is required):**

**- before you became the owner?** ☐ Yes ☐ No

## VAT

**Did you benefit from a VAT recovery mechanism when purchasing the property?** ☐ Yes ☐ No

**Did you benefit from a special VAT regime when purchasing the property?** ☐ Yes ☐ No

## PROPERTY INCOME DEFICIT (DÉFICIT FONCIER)

**Has the property generated property-income deficits in previous tax years that were offset against your overall taxable income?** ☐ Yes ☐ No

## PROPERTY OWNED BY A CIVIL COMPANY (SOCIÉTÉ CIVILE)

**If the property is owned by a société civile, is the company:**

**- subject to personal income tax (IR)?** ☐ Yes ☐ No

**- subject to corporation tax (IS)?** ☐ Yes ☐ No

*If yes, attach the latest balance sheets and profit and loss account. In all cases, attach the up-to-date articles of association, details of the current shareholders/members, their tax residence and the percentage of shares held by each.*

## REASON FOR THE SALE

**Why are you selling?**

☐ Professional relocation
☐ Family event
☐ Marriage / PACS / Divorce
☐ Birth / Death

*(Delete as appropriate.)*

Transfer of savings for:

Other reason (please specify):

## COMMENTS OR PARTICULAR CIRCUMSTANCES

Please state any particular circumstances that you consider should be brought to the buyer's attention, or that may assist with the smooth handling of the matter:

Signed at On

*(to be dated and signed by each seller)*

The notarial practice, hereinafter the 'Data Controller', processes personal data concerning you for the performance of notarial activities and/or property management and real-estate negotiation.

Processing relating to notarial activities is based on the performance of a task carried out in the public interest or in the exercise of official authority. Processing relating to property management and real-estate negotiation is based on the performance of a contract (or steps taken prior to entering into a contract).

Data processed in connection with notarial activities may be disclosed to the following recipients: public authorities or legally authorised partners such as the French Public Finances Directorate (Direction Générale des Finances Publiques) or, where applicable, the land register; notarial bodies and organisations; the profession's central registers (Central Register of Last Wills, Central Electronic Register of Notarial Deeds, PACS register, etc.); notarial practices participating in or contributing to the deed; relevant financial institutions; specialist advisory bodies supporting notarial activities; the Conseil supérieur du notariat or its delegate for the production of property-valuation statistics pursuant to Decree no. 2013-803 of 3 September 2013; and public or private bodies carrying out checks relating to politically exposed persons, asset freezes or sanctions, and anti-money laundering and counter-terrorist financing.

These checks may involve the transfer of data to a country outside the European Union, governed by European Commission standard contractual clauses designed to ensure a level of data protection substantially equivalent to that guaranteed within the European Union. Disclosure of this data to these recipients may be necessary for the performance of notarial activities.

Data processed in connection with property management and real-estate negotiation may be disclosed to property-advertising organisations, bodies producing statistical information, financial institutions holding the tenant's and/or owner's account, and, where applicable, notarial practices belonging to the group.

Documents used to prepare, register and publish deeds are retained for 30 years after completion of all formalities. The authentic deed and its annexes are retained for 75 years, or 100 years where the deed concerns minors or protected adults. Checks relating to politically exposed persons, money laundering and terrorist financing are retained for 5 years after the end of the business relationship.

Data concerning you processed for property management and real-estate negotiation is retained for up to 6 months in relation to a property search where the request is not renewed.

In accordance with applicable regulations, you may access personal data concerning you. Where applicable, you may request its rectification or erasure, obtain restriction of its processing, or object to its processing on grounds relating to your particular situation. You may also give instructions regarding the retention, erasure and disclosure of your personal data after your death.

These rights may be exercised directly with the Data Controller or its Data Protection Officer, whose contact details may be requested from the Data Controller. If, after contacting us, you believe that your rights have not been respected, you may lodge a complaint with a European supervisory authority: in France, the Commission Nationale de l'Informatique et des Libertés (CNIL).