

**Question for written answer P-005920/2014
to the Commission**
Rule 130
Emma McClarkin (ECR)

Subject: Additional tax levied by Spanish authorities on house purchases

House buyers in Spain, including nationals of other EU Member States, are being chased by the Spanish tax authorities for extra tax on house purchases owing to what strike me as unfair provisions within the Spanish General Tax Act.

Buyers pay tax on the basis of the sale price of the property they are buying. The prices of such properties have been falling in the past few years at a steady pace. However, the tax authorities in Spain are increasing their use of sale price reviews in order to extract more money from the buyer by basing the tax they demand on a different value, that of the cadastral value, which is based on the Cadastral Register. These values are based on prevailing market values but are only updated periodically, and with the steady fall in house prices the official real value of the sale and the cadastral value are often very different.

The tax authorities, having conducted their sale price review, are then demanding the extra tax on the basis of these outdated values, as well as interest payments on the additional amount.

Does the Commission agree that these sale price reviews are unfair as they are not based on accurate and up-to-date market conditions? Can the Commission tell me whether this practice is legal under EU law?