

Do I need a notary?

Yes. Agreements for the sale and purchase of Romanian land must be concluded, in the Romanian language, in authentic form before a Romanian notary. The notary is also responsible for obtaining an excerpt in respect of the property from the Land Registry. This excerpt will specify whether there are any mortgages or other legal rights affecting the land and grant a period of priority for the transaction to be made and recorded with the Land Registry. The notary will also collect the relevant state taxes on the transaction in addition to the notary's fees and will normally deal with the registration of the transaction in the Land Registry. If this is not done, the transaction will be binding as between the seller and the purchaser but will not be binding on third parties. Sellers and purchasers of real estate must either be present in person to sign the documents before the notary or must send duly-appointed representatives under formal and specific powers of attorney to do so. Such powers of attorney must however themselves have been given before a notary.