



Tuscan Property Due Diligence Checklist

Essential Legal, Technical & Financial Verification Before Buying Real Estate in Italy

Buying property in Tuscany differs significantly from US, UK, or Commonwealth systems. Real estate agents (*agenti immobiliari*) facilitate transactions but do not perform structural or title verification. **Once a Purchase Proposal (*Proposta d'Acquisto*) is accepted, it becomes legally binding.**

KEY PROFESSIONALS REQUIRED FOR PROPERTY PURCHASE:

 **Independent Geometra:** Technical & urbanistic audits

(ExpatSOS can help you find them)

 **Accountant (*Commercialista*):** Tax calculation & advice

(ExpatSOS can help you find them)

 **Certified Technicians:** Utility & safety certifications

(ExpatSOS can help you find them)

 **Italian Notary (*Notaio*):** Legal title & deed registration

(ExpatSOS can help you find them)

 **ExpatSOS Advisor:** Independent buyer guidance & coordination

 **Sworn Court Translator:** Official bilingual deed translation

(ExpatSOS can help you find them)

 *Note: While optional in the standard Italian purchasing framework, should you still wish to engage an independent lawyer, that choice remains entirely down to you.*

PHASE 1: URBANISTIC & TECHNICAL DUE DILIGENCE

- ☐ **Building Conformity Verification (*Conformità Edilizia / Urbanistica*)** CRITICAL
Pull historical permits and verify physical layout matches approved municipal blueprints. Unpermitted walls, extensions, or pools must be identified.
 **Responsible Professional:** Independent Geometra
- ☐ **Cadastral Plan Alignment (*Conformità Catastale*)** CRITICAL
Cross-check floorplan at Land Registry (*Catasto*) against physical layout. Note: Catasto is for tax classification, NOT legal proof of urbanistic compliance.
 **Responsible Professional:** Independent Geometra / Italian Notary (*at closing)
- ☐ **Certificate of Habitability (*Certificato di Agibilità / SCA*)** TECHNICAL
Confirm valid habitability certification on file. For older rural properties, evaluate requirements and cost for post-purchase issuance.
 **Responsible Professional:** Independent Geometra
- ☐ **Structural & Historical Constraints (*Vincolo Paesaggistico / Belle Arti*)** TECHNICAL
Determine landscape or historical heritage restrictions affecting planned renovations, window alterations, pool construction, or solar panels.
 **Responsible Professional:** Independent Geometra
- ☐ **Utility & System Compliance (*Certificazione Impianti*)** TECHNICAL
Inspect safety compliance certificates for electrical, heating, and gas systems. Verify water source (municipal vs. private well / *pozzo*) and septic system (*fossa biologica*).
 **Responsible Professional:** Certified Technicians (ExpatSOS can assist in sourcing) / Geometra

ExpatSOS Insider Tip: The "Sanatoria" Clause

If urbanistic discrepancies are found by your Geometra, require the seller to legally regularize them (*Sanatoria Edilizia*) at their expense via a suspensive clause prior to the final deed (*Rogito Notarile*).

PHASE 2: LEGAL OWNERSHIP & TITLE SEARCH

- ☐ **Title & Ownership Verification (*Ispezione Ipotecaria / Visura Ipotecaria*)** CRITICAL
Verify all co-owners/heirs agree to sell and check for outstanding mortgages, tax liens, or legal disputes (*ipoteche / pignoramenti*).
 **Responsible Professional:** Italian Notary (*Notaio*)

- ☐ **Right of First Refusal (*Prelazione Agraria*)** CRITICAL
For rural properties: Verify formal 30-day notice to neighboring active farmers (*coltivatori diretti*). Failure to comply allows neighbors to claim property up to 1 year post-purchase.
Responsible Professional: Italian Notary (*Notaio*)
 - ☐ **Rights of Way & Easements (*Servitù Passive / Attive*)** TECHNICAL
Confirm vehicular access rights, shared driveway usage, or water access easements recorded in official title deeds (*Atto di Provenienza*).
Responsible Professional: Italian Notary / Geometra
 - ☐ **Condominium Debt Check (*Liberatoria Condominiale*)** FINANCIAL
Obtain formal written clearance confirming zero outstanding condo fees or planned extraordinary building repairs.
Responsible Professional: Condominium Administrator (*Amministratore*) / Italian Notary

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PHASE 3: FINANCIAL & TAX PREPARATION

- ☐ **Italian Tax Code Acquisition (*Codice Fiscale*)** CRITICAL
Obtain official tax codes for all buyers required for contract registration and deed execution.
Responsible Professional: Revenue Agency (*Agenzia delle Entrate*) / Italian Consulate / ExpatSOS
 - ☐ **Italian Bank Account / Notary Escrow (*Deposito Notarile*)** FINANCIAL
Open local bank account or set up Notary Escrow Account (*conto dedicato*) to safely hold funds until title registration.
Responsible Professional: Italian Bank / Italian Notary
 - ☐ **Purchase Tax Calculation (*Imposta di Registro / IVA*)** FINANCIAL
Calculate registration tax based on Cadastral Value (2% primary residence vs. 9% second home) and assess commercial IVA applicability.
Responsible Professional: Italian Notary / Accountant (*Commercialista*)
 - ☐ **Closing Costs & Professional Fee Budgeting** FINANCIAL
Calculate total auxiliary costs (~10%–15%): Agent commission (3%–5% + VAT), Notary fee, Geometra report, Translation/Advisory fees.
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PHASE 4: CONTRACTUAL SAFEGUARDS & CLOSING

- ☐ **Suspensive Condition Clauses** (*Clausola Sospensiva*) **CRITICAL**
Insert explicit suspensive conditions tying deposit release to mortgage approval and clean Geometra technical audit.
Responsible Professional: ExpatSOS Advisor / Italian Notary
 - ☐ **Confirmatory Deposit Structure** (*Caparra Confirmatoria*) **FINANCIAL**
Ensure deposit is legally designated as *Caparra Confirmatoria* (seller default obligates double refund; buyer default forfeits deposit).
Responsible Professional: Italian Notary (*Notaio*)
 - ☐ **Bilingual Deed / Power of Attorney** (*Procura Speciale*) **TECHNICAL**
Non-Italian speakers must provide sworn translation with 2 bilingual witnesses at closing, or grant Power of Attorney to a trusted representative.
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Need Independent, On-the-Ground Support in Tuscany?

Don't navigate Italian real estate bureaucracy alone. ExpatSOS provides independent guidance, connects you with trusted professionals, and protects your interests at every step.

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