

Building, planning and cadastral compliance

What the notary does and does not do, and why a technician helps before the deed.

How to fill it in. iPhone and iPad: save the PDF to Files, open it with Preview or Files, tap the boxes to type; to sign: Markup > Add signature; then Share. **Android:** open it with Google Drive > Edit > Form filling, or with Adobe Acrobat Reader > Fill & Sign. **Computer:** Acrobat Reader, Chrome or Edge. Send it back to segreteria@notaiofiorentinomarco.com, to our PEC or through the Client area.

The answer in two lines

The notary checks the **public registers** (ownership, mortgages, land registry) and that the deed contains the statements required by law. **The notary does not inspect or measure the property:** to know whether what exists matches the approved plans you need a **technician** (surveyor, architect, engineer). A buyer does well to get a **technical report before the deed**, better still before the preliminary contract.

1. WHAT THE SELLER DECLARES

- **The building permits** of the property (licence, building permit, amnesty, SCIA or CILA) or that it was built before 1 September 1967. Without these statements the deed is void ([art. 46, Presidential Decree 6 June 2001, no. 380 \(consolidated building law\)](#)).
- The Joint Chambers of the Italian Supreme Court (judgment 22 March 2019, no. 8230) clarified that the deed is valid if the permit mentioned **really exists and refers to that property**: any discrepancies do not make the deed void but remain a problem for the buyer (penalties, regularisation, difficulty in reselling or obtaining a mortgage).
- **Cadastral compliance**: land registry data and floor plan must match the actual state ([art. 29, para. 1-bis, Law 27 February 1985, no. 52](#)). If they do not, the deed cannot be signed until the land registry is updated.
- The **energy performance certificate** (APE), to be attached to the deed of sale.

2. WHAT THE BUYER CAN CHECK

- The **legitimate status** (stato legittimo): that the property matches the last building permit (verandas, mezzanines, changes of use, partitions, openings).
- Any **amnesties** still open or fees to pay.
- Constraints: landscape, heritage, Campi Flegrei red zone, risk areas.
- Habitability, systems, unpaid condominium fees and approved works.

3. YOUR CHOICES

- ☐ I have engaged a technician to check building and cadastral compliance (name below)
- ☐ I have not engaged a technician: I know the notary does not inspect the property
- ☐ I ask the Studio which documents to request from the technician

Technician's name

Phone / email



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of this form

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Your opinion,
if you wish (Google)

ACKNOWLEDGEMENT

Name and surname

Deed and property

I declare that I have received and read this notice.

Place

Date

Signature (by hand, or Markup › Add signature, or digital signature)

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Your opinion,
if you wish (Google)