

UNECE

Survey on costs for registration and transfer of real estate and mortgages for the ECE region



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**Survey on costs for registration and
transfer of real estate and mortgages
for the ECE region**

In 2018, the Working Party on Land Administration initiated a study on benchmarking in land administration on the costs for registration/transfer of real estate and mortgages for the ECE region. The study covers costs of the registration of transfers, establishment of mortgages, subdivision of a land parcel and inspection fees for the registers. The costs are taken from the perspective of the residents, who are involved in buying and selling real estate properties.

All member States of ECE have been requested to complete a questionnaire, 33 responses were received, and results of the survey were analyzed.

This document provides final results of the study.

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Executive Summary

Land registration is a complex process and is implemented differently in each country. The study on benchmarking in land administration on the costs for registration/transfer of real estate and mortgages for the ECE region was conducted in 2018-2019. The study covers costs of the registration of transfers, establishment of mortgages, subdivision of a land parcel and inspection fees for the registers.

Representatives of land administration authorities in the ECE region have been requested to complete a questionnaire, 33 responses to the questionnaire were received.

The limitations of the conducted survey are: differing definitions and interpretations of the topics addressed in the study which affect the analysis; and absence of information on the situation in the countries from which responses to the questionnaire were not received.

The following preliminary findings of the survey were reported:

- The value of an average dwelling in the ECE region is, based on responses of 18 respondents, € 146,000. With regard to transfer of such a dwelling, the average mandatory costs are 3.4 per cent of the selling price, representing €5,901 as average total costs.
- The average transfer tax is 2.7 per cent and is therefore the main mandatory cost item for a transfer of real estate throughout ECE region. Seventeen countries do not charge fees (or did not report on them unambiguously) for one or more of the services or taxes mentioned. Regarding the registration of mortgages, the costs for mandatory legal/technical services varied between € 38 and €2,000, while for registration services they range between €4 and €2,400.
- Taxes on mortgages vary from 0.05 to 2 per cent. The costs for subdivision of a parcel of 500 m² ranges from €43 to €3,500. Total mandatory costs for transfer, registering a mortgage and subdivision could only be determined unambiguously for five countries. The total costs differ to a great extent, both in absolute terms (€125 - €16,040) and relatively when related to the value of the dwelling (0.1 – 8.0 per cent) or to the country's Gross National Income (3.7 – 51.4 per cent).
- Costs for inspection of the registers are reported to be free or maximum of €58 for a certified copy of the register with a map or diagram delivered by normal mail. Cost recovery was mainly reported as the argument to set up the fee structure, while amendments were made to cater for specific aims or solutions.
- In line with earlier reports from the Working Party, it is concluded that comparing costs of land registration across countries is complex, that parties involved, processes, types of costs and values of costs vary to a large extent, all depending on the social, economic and cultural environment of each country.

I. Introduction

1. The Working Party for Land Administration carries out benchmarking studies from time to time. In the past, comprehensive studies were done. These types of studies required a lot of preparatory work for the Working Party and the questionnaires were quite time consuming for the respondents. For those reasons, the Bureau decided to conduct a study on a more specific topic: costs for registration and transfer of real estate and registration of mortgages. This study aims to get more insight into the costs, fees and taxes related to the transactions and related services like the establishment of mortgage loans and technical land surveying work.



Fig 1.1 Member States of ECE Region (source: <http://www.regionalcommissions.org/about/the-regional-commissions/economic-commission-for-europe-ece/>)

2. This study is about costs and fees from the user's perspective through the application of three common use cases in real estate transactions. The outcomes will enable States to compare and evaluate cost levels and costing models and at the same time, related trends in the region might be recognized. In order to be able to compare the results, the following basic use cases in the domain of real estate transactions are defined as follows:
 - Transfer of a residential dwelling with average value
 - Establishment of a mortgage for a dwelling covering 100 per cent of the transfer value
 - Subdivision of an unbuilt parcel of a standard size in a residential area.
3. The study distinguishes four costs types to enhance a proper interpretation of the responses:
 - Legal/technical services (e.g. collecting preliminary documents, contract/deed drafting and signing)
 - Registration services (e.g. registration of contracts/deeds/titles)
 - Taxation (e.g. transfer tax, stamp duties)
 - Cadastral services (e.g. parcel surveying, updating cadastral map and register).
4. The questionnaire has been sent online using SurveyMonkey and by email, in order to allow respondents to share the questions with other colleagues or other institutions. It has been sent to the contact points of the Working Party (see Figure 1.1 for the ECE member States). In total 33 responses were received from 30 member States (see Table 1.1).

Respondent	Land registration agency
Albania	Immovable Property Registration Office
Armenia	Real Estate Cadastre Committee of the Republic of Armenia
Austria	Federal Ministry for Constitutional Affairs, Reform, Deregulation and Justice
Belarus	National Cadastral Agency
Bosnia and Herzegovina	Real Estate Registration Project (RERP); Federal Administration for Geodetic and Real Property Affairs (FAGRPA, Federation of Bosnia and Herzegovina) ¹
Croatia	State Geodetic Administration
Cyprus	Department of Lands and Surveys
Czech Republic	Czech Office for Surveying Mapping and Cadastre
Denmark	Danish Geodata Agency
Estonia	Estonian Land Board
Finland	National Land Survey of Finland
Georgia	National Agency of Public Registry, Ministry of Justice of Georgia
Iceland	Registers Iceland
Ireland	Property Registration Authority
Italy	Agenzia delle Entrate
Kyrgyzstan	Department of Cadastre
Latvia	Court administration of Latvia
Lithuania	State Enterprise Centre of Registers
Germany (Lower Saxony)	Arbeitsgemeinschaft der Vermessungsverwaltungen (AdV)
Luxembourg	Administration de l'Enregistrement des Domaines et de la TVA
North Macedonia	Agency for Real Estate Cadastre
Norway	Norwegian Mapping Authority - Cadastre and Land Registry
Portugal	Instituto dos Registos e do Notariado I.P.
Republic of Moldova	Public Services Agency
Serbia	Republic Geodetic Authority
Sweden	Lantmäteriet
The Netherlands	Kadaster
Turkey	General Directorate of Land Registry and Cadastre
Ukraine	State Service of Ukraine for Geodesy Cartography and Cadastre (StateGeoCadastre)
United Kingdom of Great Britain and Northern Ireland (UK)	Her Majesty's Land Registry for England and Wales (HMLREW); Land Registers Northern Ireland (LRNI); Registers of Scotland (RoS) ²

Table 1.1 Respondents to the questionnaire

- This report provides the findings based on these 33 responses. Responses will be reported by country or state. The three agencies from the United Kingdom of Great Britain and Northern Ireland are reported as England and Wales, Northern Ireland and Scotland respectively. Some questionnaires were returned incomplete, which has been taken into account in the analysis.

¹ Both entities are counted as separate respondents

² The three entities are counted as separate respondents

6. The principal author of the report was Dr. Ir. Paul van Asperen (ITC, University of Twente, The Netherlands) in cooperation with the Bureau of the Working Party and with the support of the Norwegian Mapping Agency (Kartverket).

a) Outline of the report

7. This report presents the results of the survey; the results are also compared with earlier studies to analyze trends in the last decade. Chapter Two includes a literature review, discussing basic concepts related to costs of land administration and the reasoning behind the creation of the questionnaire. The next chapters are structured in a similar way to the questionnaire. Chapter Three discusses the methodology used in the interpretation of the results and the calculation of the price of an average dwelling which was then used as a base value to compare subsequent costs for registration. Chapter Four addresses the costs related to the transfer of a residential dwelling, Chapter Five - the costs related to the establishment of a mortgage and Chapter Six - the costs related to subdivision of a parcel. These chapters also discuss the outcome of the study in relation to the earlier studies, with respect to the fees for legal and technical services, for registration services, for taxation and for cadastral services. Chapter Seven discusses the costs related to the inspection of the registers, while chapter eight presents the arguments used for the design of the fee calculation. Additionally, anticipated changes foreseen in the near future regarding the fee calculation are discussed. The concluding Chapter Nine summarizes the results of this study.

b) Disclaimer

8. Researching costs and fees concerning land administration in several countries is a challenge, due to the differing legal systems, institutional arrangements, interpretations of terms, interpretation of results, conditional fees, etc. Due caution in interpreting, analyzing and reporting the responses has been made; nevertheless, there is no guarantee that the final figures presented here reflect reality with 100 per cent accuracy. Therefore, the costs as reported in this study should not be considered as absolute, they are merely strong indicators within a certain range. The authors invite member States to provide updated figures, if available, to the Working Party secretariat.

II. Costs of land administration

9. When studying the costs of land administration, it is important to define the scope. In this case, it is quite complex, because every country has its own systems, procedures, professional parties involved, tax policies etc. This chapter discusses the general concepts, largely drawing on existing literature. This literature review shaped the drafting of the questionnaire and guides also the analysis of the responses.

a) General concepts of land administration and real estate

10. Each country or state has its own land administration system. The character of this system is dependent on factors such as the legal system, the type of land registration, organizational structure, the professional parties involved. EUI and DNotI (2005) distinguishes between five “legal families”:
 - common law
 - civil law of the Code Napoleon countries
 - civil law of the German/Central European countries
 - civil law of the former communist countries
 - law of the Nordic countries.
11. These legal families will influence the type of land registration system, like deeds or title registration or title insurance. Title insurance is uncommon in Europe, which is considered fast, but expensive for the users (ECE 2014).
12. Regarding organizational structure, land administration might be completely handled by one institution, like in Finland and Sweden (ECE 2005), but it is also common that the registration of titles is separated from cadastral mapping and organized between two separate organizations. In some countries, courts or the Ministries of Justice or Finance are responsible for the registration of titles, while other organizations (sometimes subsidiary parts of other ministries) are responsible for survey or cadastral issues (ECE 2005, Working Party 2009).
13. The object of registration might differ as well. Land and buildings might be registered separately (Zevenbergen et al 2007, Working Party 2009), see, for example, Lithuania (table 4.8). In that case, people might refer to the land as ‘real estate’, while the buildings are referred to as ‘property’ or ‘immovable property’ or ‘real property’ (ECE 2005). In this publication, the term ‘land’ will be treated as embracing all fixed entities, including crops and trees as well as buildings. Real estate, property and land are considered to be synonyms in this study.

b) Real estate market

14. Real estate markets greatly differ between all States. The housing situation displays strong national and local divergences (EUI and DNotI 2005). The major difference will be the ratio between ownership and tenancy, as is shown in figure 2.1. This study mainly focuses on costs related to ownership or changes in ownership. In cases where tenancy is registered, costs related to that are not included in the scope of this study.

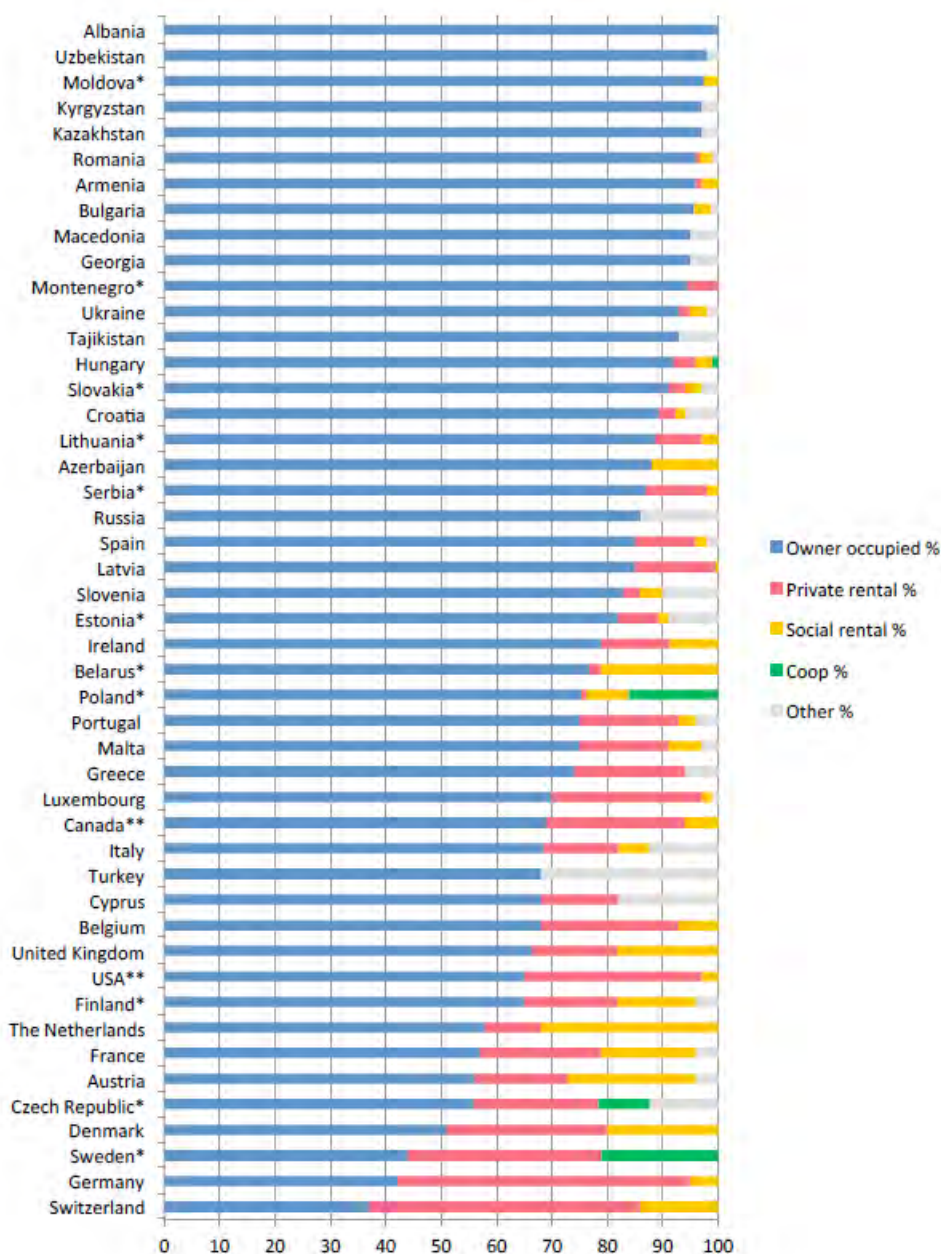


Figure 2.1 Tenure breakdown in ECE countries (ECE, 2016)

15. Real estate markets are influenced by the costs of real estate transactions. Transaction costs are the sum of the costs of each procedural step plus fees (Zevenbergen 2007). While ECE (2014) reported on the impact of budget cuts in land registration due to the economic decline since 2008, it is obvious that the economy has picked up again, which may have affected the costs and fees for land registration services.

c) Type of costs

16. One can consider costs from many perspectives: the costs for the initial registration versus costs for keeping the registers up to date, institutional costs versus costs for individuals. Initial registration is usually a very costly exercise (Williamson et al 2010). It is common practice for it

to be subsidized with individuals only covering part of the costs. A national land administration system can be regarded as a national asset, part of the national infrastructure. In the case of updating, the overriding view is that in mature land administration services the individual user should pay. However, in poorer or less developed countries, updating might be subsidized as well. As the Working Party (2009) reports: 'The subsidization of the initial creation of the administration system and the recovery of operating costs are crucial aspects with respect to defining fees and charges policies.' The way in which recovered costs are channeled into either the central government budget or the handling agency's budget is another policy issue (ECE 2005), which is beyond the scope of this study.

17. While other studies focused on institutional costs (HM Land Registry 2000, ECE 2005), this study focuses on individual costs: costs paid by an individual to use the land related services necessary to operate on the property market. It only focuses on direct costs, costs charged by the service providers to the individual. Indirect costs, like travel to offices or waiting time are not taken into account. Moreover, services which are only used by a small minority are not taken into account either. For example, when a limited number of people in a certain country make use of a real estate agent, these related costs will not be included in this study. Only costs for services, which are either mandatory or used by a majority will be covered. The study focuses on the costs related to residential land uses with private individuals or families as owners. This contrasts with the approach of the yearly Doing Business studies from the World Bank, which study mandatory land administration costs for businesses. Costs, fees and charges are used as synonyms in this study. They all have to be paid by individuals using land administration services. Taxes are distinguished as a separate cost item.

d) Professional parties

18. The individual land right holder is central to this study. He or she may engage land related services from many professional parties, such as lawyers, notaries, real estate agents, real estate valuers, courts, land registries and land surveyors. Land surveyors may be commercial surveyors or public surveyors (employees of governmental administrations). Within a country, the details of the procedures may vary, for example when urban or rural land is conveyed (Eurogeographics 2008, Zevenbergen et al 2007). In many countries, cadastral land surveyors need to be licensed. Notaries usually authenticate the sales contracts and are responsible to collect taxes as well (e.g. Belgium, France, Italy). Private notaries might require a license (ECE 2005).

III. Methodology

19. This study is based on a questionnaire (see Appendix B). The questionnaire has been drafted based on the literature review and earlier questionnaires sent out by the Working Party. The final draft has been reviewed by the Working Party Bureau. The questionnaire included spaces for multiple free text responses. This allows the respondent to give complete and coherent answers, though it makes interpretation and analysis more complex. This section firstly explains how the responses on the questionnaire have been interpreted and analyzed. Secondly, the average value of a residential dwelling in each of the countries is discussed, because it will be the base value used throughout the entire study.

a) Interpretation of responses

20. In order to present the results of the questionnaires, the following guidelines are applied regarding the interpretation of the responses:

- Some respondents could not report on costs charged by other agencies which they do not represent: this means that in such cases no information on the complete costs can be given (see for example table 4.9)
- The same holds for those instances where costs are confirmed, although no precise figures are given
- In cases where a range of costs is given: the average is taken as an answer
- In cases where costs are charged based upon certain conditions; the lowest costs are taken into account
- In cases where the costs are shared by the seller and buyer: the costs are divided equally (50/50)
- In cases where the same costs are listed at multiple positions, this is corrected for (e.g. tax included for every service and also tax as a single cost item)
- All monetary values in this report are rounded and given in Euros, unless otherwise stated.

21. If costs are not listed for a certain country, it may be:

- That the total costs could not be assessed based on the responses given in the questionnaire
- That the services are not required within the applicable process step
- That the services are delivered for free.

b) Price of an average dwelling

22. This study uses an average market value of an average single residential dwelling in each country or state. The land and the yard are considered as belonging to the dwelling (owned by the same owner). Apartments are not considered in this study. Table 3.1 and figure 3.1 show the average value of a residential dwelling in each country. The average value of these eighteen respondents is €146,000. Other respondents (11) opted to use the default value of €200,000.

Respondent	Value
The Netherlands	€292.000
UK (Her Majesty's Land Registry)	€259.086
Ireland	€257.000
Germany (Lower Saxony)	€230.000
Iceland	€230.000
Finland	€170.000
Kyrgyzstan	€170.000
UK (Registers of Scotland)	€169.522

UK (Land Registers Northern Ireland)	€157.817
North Macedonia	€120.000
Republic of Moldova	€110.000
Croatia	€100.000
Lithuania	€92.000
Estonia	€90.000
Latvia	€75.000
Federation of Bosnia and Herzegovina (Federal Administration for Geodetic and Real Property Affairs)	€40.000
Bosnia and Herzegovina (Real Estate Registration Project)	€40.000
Serbia	€25.000

Table 3.1 Average value of a residential dwelling

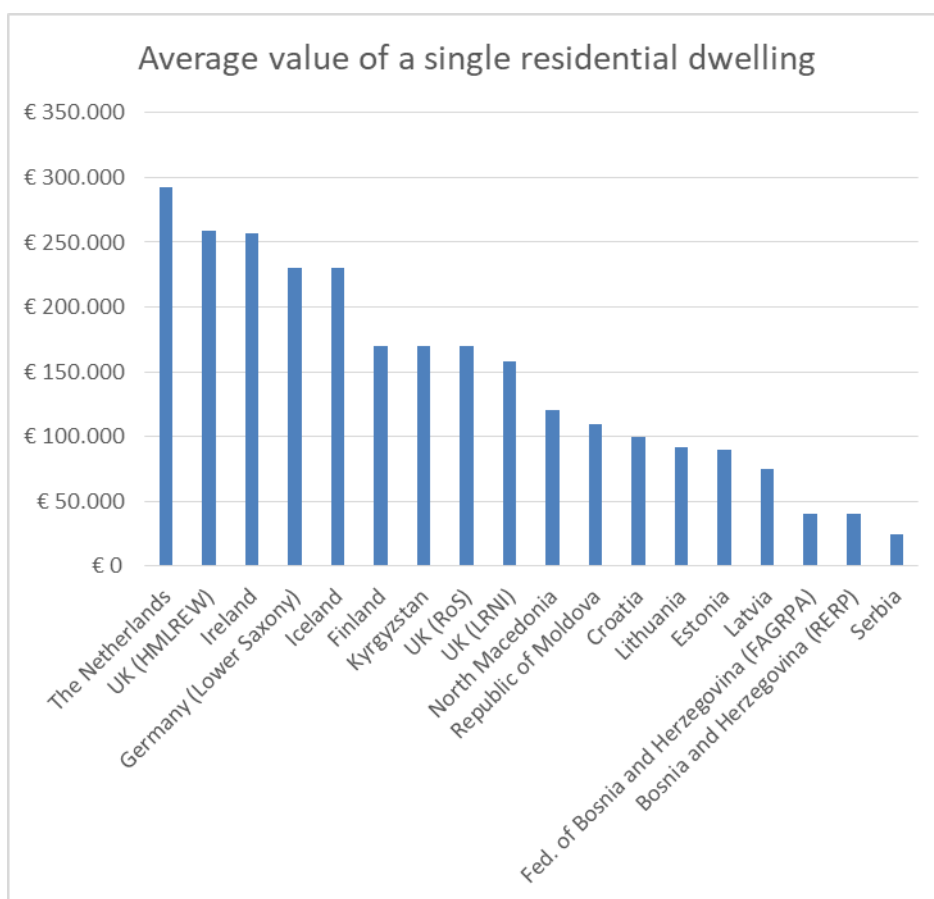


Figure 3.1 Average market value of a single residential dwelling

23. ECE (2014) reported on the average price of an average-sized dwelling in an average-priced suburban area of the largest city of the country, with an overall value of €174,200. Due to differences in definition of an average dwelling and between the samples, the average values from both studies cannot be compared.

IV. Costs related to the transfer of a residential dwelling

24. This chapter studies the costs and expenses related to the transfer of an average single residential dwelling between two natural persons within a country or state. The average market value of such a dwelling will be the default value to calculate fees and costs for land registration services within this study. The terms ‘transfer’ and ‘transaction’ are used interchangeable in this study. A transaction is defined as ‘All actions of the processing and registrations effecting a change in the register in the land registry/cadaster agency in respect of a single application such as a transfer of ownership and recording of any associated rights contained in the transfer deed’ (see Appendix A). Zevenbergen et al (2007) differentiate between six different types of costs specific to real property transactions:
- search cost: the cost of obtaining information about available properties and identifying which to acquire;
 - legal cost: the cost of assistance with legal aspects of the acquisition; assessing the legal status of the property offered and guidance with the process;
 - administrative cost: the cost of administrative procedures;
 - adjustment (or development) cost: cost of adapting the current physical and legal situation to new uses;
 - financial cost: the cost of the capital required during the transaction;
 - uncertainty cost: the cost associated with the risk involved in the transaction.
25. In this study, the costs related to property transfer are limited to the first three, because they are closely related to the provision of land administration services: costs related to information gathering for the object of sale, negotiation and drafting of the sales contract, and the enforcement of the contracts through registration (Zevenbergen et al 2007). Land Equity International (2006) in addition reports about informal costs, but these are not part of the scope of this study.
- a) Legal/technical services (collecting preliminary documents, contract and deed drafting, signing contracts and deeds)**
26. Figure 4.1 shows which professional parties are involved in the legal and technical services to prepare the transfer of a residential dwelling. Thirty-one respondents mentioned having one or more parties involved in this step of the process. The figure shows also whether the party is voluntary or mandatory involved.

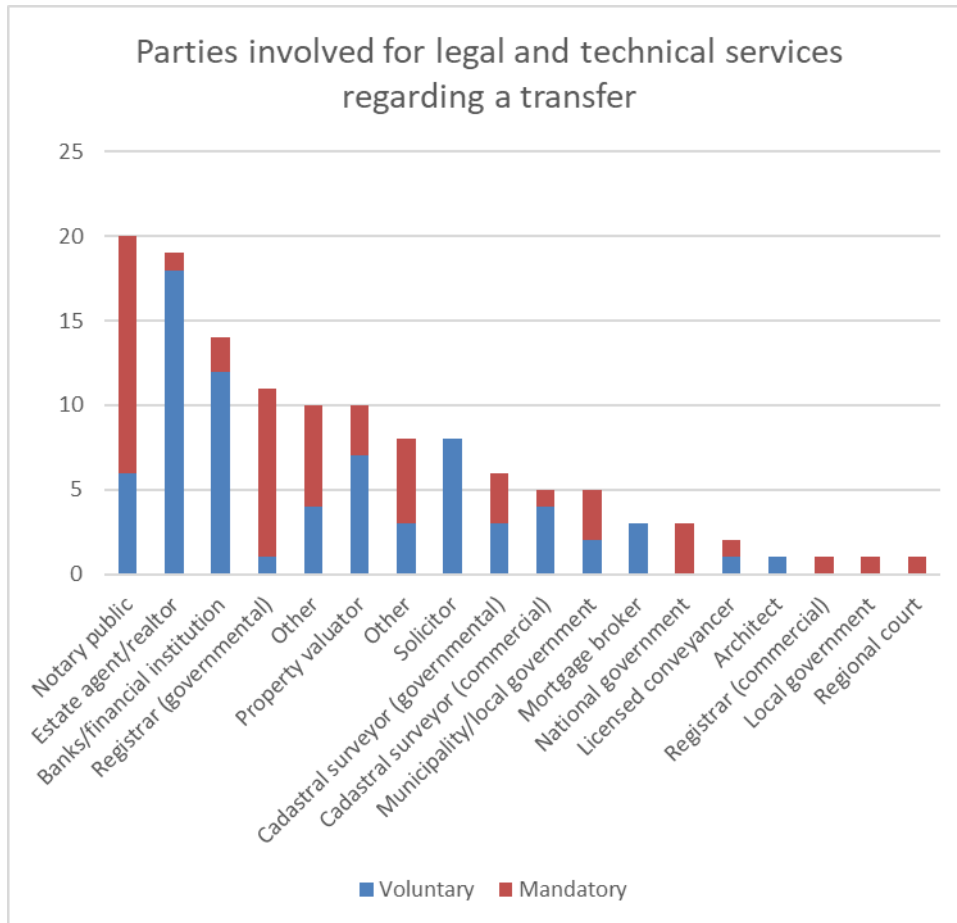


Figure 4.1 Professional parties involved in a transfer of a single residential dwelling

27. Figure 4.1 shows that a wide range of officials can be involved. Most common are the notary public and the estate agent/realtor. The involvement of a notary public is in most cases mandatory, whereas an estate agent/realtor is mostly voluntary. Only in Iceland is consultation of a real estate agent mandatory. While financial roles are also often voluntary involved (banks/financial institutions and property valutors), governmental registrars are already mandatory involved in one-third of the responding countries for the legal and technical services in preparation of a transfer. Five countries do not require any mandatory services for this process step (Georgia, Norway, Czech Republic, Latvia and Austria), while England and Wales and Turkey are reported to have the most mandatory services (5).

28. The following special remarks made relating to figure 4.1 can be given:

- UK (; Registers of Scotland): While the involvement of a commercial surveyor and solicitor is technically voluntary, typically they are regarded as essential to the process;
- Norway: Banks/financial institution are mandatory when the transfer is financed by debt, and voluntary in other cases;
- Croatia: The involvement of most parties is voluntary; however, this depends on the situation, such as whether credit is involved and the state of real property in official registers;
- Georgia: the National Agency of Public Registry (NAPR) has delegated front office functions to front offices at external organizations such as Public Service Halls (PSHs) and Community Centres - these entities are under Ministry of Justice; also - banks, notaries, law companies, real estate companies, cadastral surveying companies, etc. NAPR also operates its territorial front offices, currently the number is 33;

- Other parties involved reported by respondents are energy performance experts (Netherlands, Lithuania), registration office (Czech Republic), advocates (North Macedonia) and Natural Disaster Insurances Corporate (Turkey);
- There are no responses which refer to the involvement of town planners, regional governments or national courts in this process step.

29. Figure 4.2 shows the fee base used for legal and technical services (for all professional parties involved) to prepare a transfer of a single residential dwelling, based on 28 responses. Calculations based on the transfer value or a flat fee (sometimes in combination) are the methods most commonly used. A considerable number of services, for example, those provided by notary public and real estate agents, are negotiable. The category 'Other' in the figure relates to an administrative fee (Czech Republic).

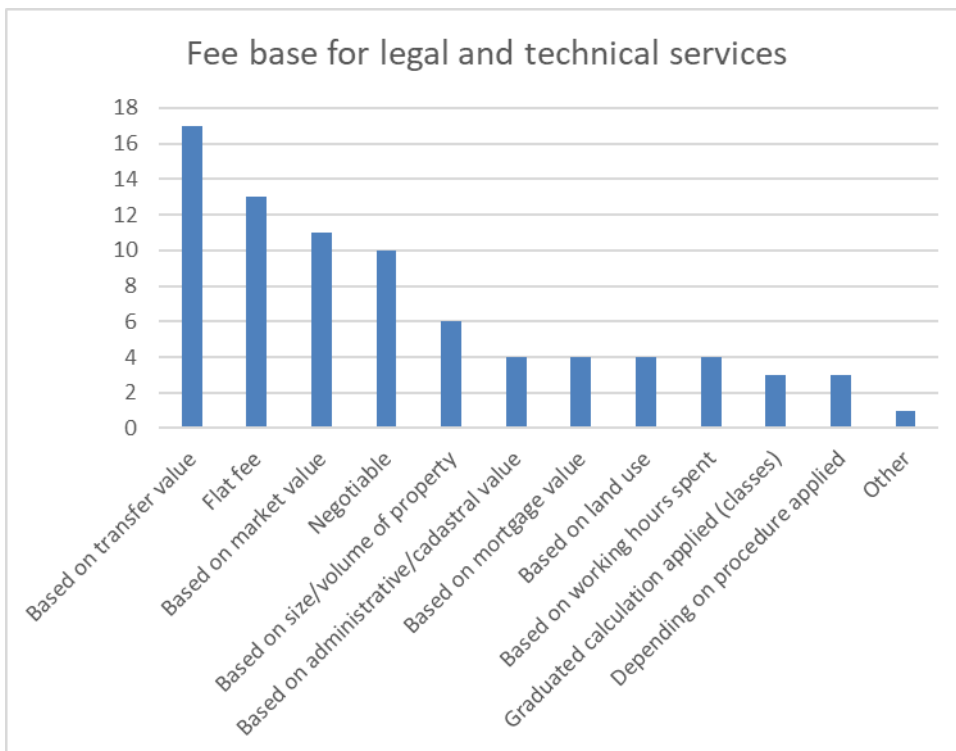


Figure 4.2 Base for calculation of fees for legal and technical services to prepare a transfer

30. Table 4.1 shows the total fees charged for legal and technical services to prepare the transfer of a single residential dwelling, both for the seller and the buyer, based on 23 responses. It is important to note that some organizations are not in the position to disclose fees and calculation methods from other parties than themselves. They are therefore not included in this table.

Respondent	Seller		Buyer	
	Voluntary	Mandatory	Voluntary	Mandatory
Albania	4,390	150	4,330	860
Austria	0	0	4,450	0
Belarus	95	15	0	15
Bosnia and Herzegovina (Real Estate Registration Project)	0	0	0	300
Cyprus	0	0	0	9,200

Estonia	2,700	0	0	300
Georgia	0	0	796 ³	0
Iceland	0	3,500	0	0
Kyrgyzstan	0	0	70	7
Latvia	3,000	0	300	0
Lithuania	0	437	2,975	287
Germany (Lower Saxony)	0	0	12,000	2,000
North Macedonia	0	0	500	5
Norway	10,000	280	0	0
Portugal	0	0	10,000	375
Republic of Moldova	2,000	115	0	0
Sweden	6,000	0	0	120
The Netherlands	4,000	100	2,000	500
Turkey	0	50	0	20

Table 4.1 Costs (€) for legal/technical services

31. The high costs in table 4.1 mainly relate to costs of the notary public and the real estate agent. Table 4.2 lists the minimum and maximum reported costs for the services provided by them, for either seller or buyer. The maximum value for the notary public or solicitor for Austria includes VAT and €150 for the authentication of the signatures. The table indicates large differences between the fees charged in various countries, the reasons for these differences have not been investigated.

Professional party	Minimum	Country	Maximum	Country
Seller				
Notary public	10	Albania	300	Ukraine
Estate agent	300	Ukraine	8,557	Norway
Buyer				
Notary public	50	Kyrgyzstan	4,450	Austria
Estate agent	2,000	The Netherlands	10,000	Portugal

Table 4.2 Minimum and maximum reported costs (€) for notary public and estate agent

32. According to EUI and DNotI (2005), the average fee for a real estate agent in Europe is 3 per cent of the transfer value. Within our survey, the average is 3.1 per cent, based on 14 responses (see table 4.3). Respondents reported using a percentage, an absolute value, or both. When an absolute value was reported, the percentage was calculated based on the average value of a residential dwelling.

Respondent	Percentage given/calculated	Absolute value given
Albania	3 %	2 % seller, 1 % buyer
Croatia	2-4 %	
Estonia	3 %	
Federation of Bosnia and Herzegovina (Federal Administration for Geodetic and Real Property Affairs)	2-3 %	
Finland	4-4.5 %	
Iceland	1.5-2.9 %	

³ On agreement the costs can be shared between buyer and seller. In the majority of cases, the costs for notarial services are paid by the buyer.

Latvia	4 %	3,000 (average value 75,000)
Lithuania	2-3 %	
Germany (Lower Saxony)	3.75-6.5 %	
Norway	1-2 %	8,150-9,000
Portugal	5 %	
Republic of Moldova	2 %	
Sweden	3 %	
The Netherlands	1.37 %	4,000 seller (average value 292,000)

Table 4.3 Fees for real estate agents (in per cent of transfer value, absolute values in €)

33. Considering the overall costs for legal and technical services, only mandatory fees are considered. They are listed in table 4.4 and visualized in figure 4.3.

Respondent	Seller	Buyer	Total
Cyprus	0	9,200	9,200
Iceland	3,500	0	3,500
Germany (Lower Saxony)	0	2,000	2,000
Albania	150	860	1,010
Lithuania	437	287	724
The Netherlands	100	500	600
Portugal	0	375	375
Estonia	0	300	300
Bosnia and Herzegovina (Real Estate Registration Project)	0	300	300
Norway	280	0	280
Sweden	0	120	120
Republic of Moldova	115	0	115
Turkey	50	20	70
Belarus	15	15	30
Kyrgyzstan	0	7	7
North Macedonia	0	5	5

Table 4.4 Mandatory costs (€) for legal/technical services

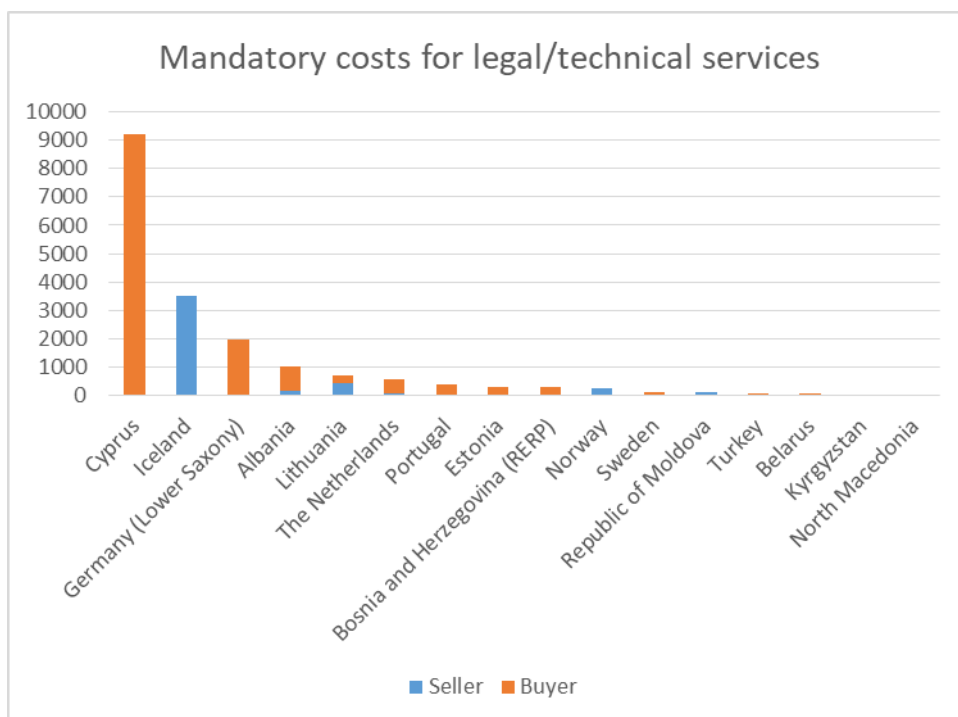


Figure 4.3 Mandatory costs (€) for legal/technical services

34. The relatively high costs for buyers in Cyprus are due to the fees to be paid to national government, the relatively high costs for sellers in Iceland relate to the costs of the estate agent. Some respondents could not report on costs calculated by other professional parties; table 4.5 therefore lists the fees charged for services delivered by registrars (either governmental or commercial).

Country	Voluntary	Mandatory	Remarks
Albania	0	30	Payable by both buyer and seller, based on a fixed fee
Ukraine	0	20	Payable by both buyer and seller (as agreed between parties)
Belarus	0	15	Payable by both buyer and seller, based on flat fee and working hours spent
Kyrgyzstan	0	7	Payable by buyer only, according to tariff table
North Macedonia	0	5	Payable by buyer only, according to tariff table
Republic of Moldova	0	5	Payable by seller only, flat fee
Czech Republic	4	0	Paid by buyer only as an administrative fee set by Cadastral law

Table 4.5 Costs of services (€) delivered by registrars as part of legal/technical services.

35. Additional remarks (which are also valid for registration services):

- Kyrgyzstan offers express registration at extra costs;
- Ukraine also has a commercial registrar, fee is also €20.

36. It is observed that a limited number of countries (7) have small charges for registration services in the preparation phase of a transfer. Nevertheless, parties like real estate agents, solicitors and notaries public may use and subsequently pay for legal and technical services themselves, which they probably include in the fees charged towards their customers.

b) Registration services (collecting preliminary documents, registering the contracts/deeds, confirmation of the transaction, registration of title and deeds)

37. In this section the costs relating to registration services are studied. As this is assumedly the most commonly used service by registrants and the key service provided by any land administration agency, it will be discussed in as much detail as possible.

38. Figure 4.4 shows, which type of professional parties, are involved in registration services to transfer a residential dwelling, summarized over the States who responded to this question (32). Additionally, it is also indicated whether the party is voluntarily or mandatorily involved. It is noted that some respondents, such as Norway, do not indicate the involvement of registrars in this process step. Governments (local, national) and courts may also provide registration services.

39. The category ‘Other’ in figure 4.4 relates to:

- Ireland: Other parties may be involved, but the Property Registration Authority cannot comment on the extent or costs of their services;
- England and Wales: Ordnance Survey surveyors;
- Austria: District Court (Landbook);
- Ukraine: Notary private.



Figure 4.4 Professional parties involved in registration services to transfer a single residential dwelling

40. The conditional mandatory parties comprise: the governmental and commercial registrar in the Ukraine, their involvement depends on the specific case (no further explanation has been provided). Also, in Norway banks/financial institutions are mandatory when the transaction is financed with a mortgage.

41. Figure 4.5 shows the fee base used to charge for registration services (concerning all parties involved) to transfer a single residential dwelling, based on 25 responses. Calculations based on a flat fee or the transfer value (sometimes in combinations) are the methods most commonly used.

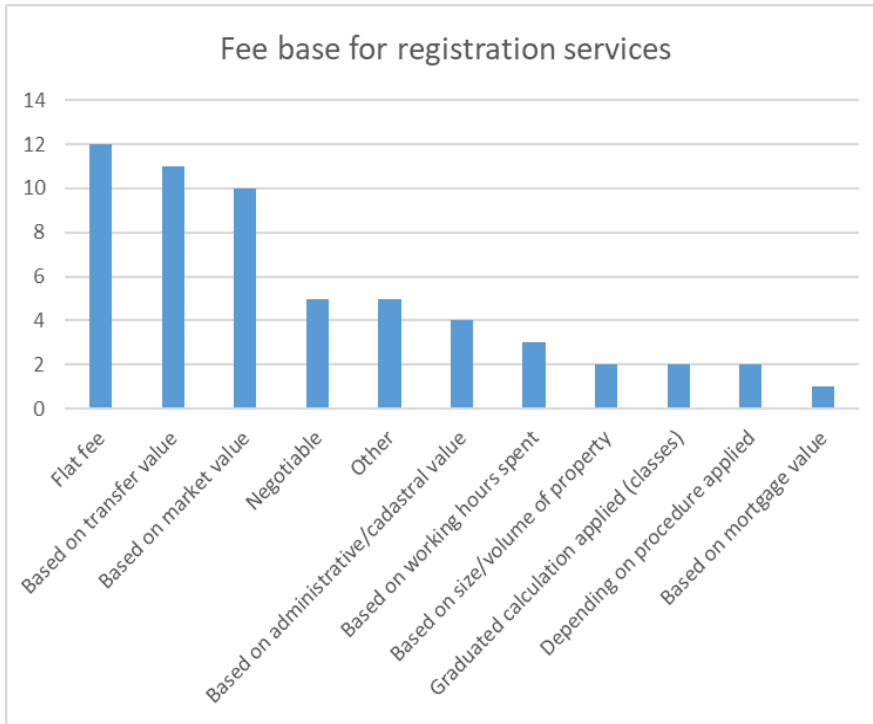


Figure 4.5 Fee base for registration services

42. In the following figures and tables, more details about the cost structure regarding registration services are given. Nevertheless, this was only possible for those cases where respondents distinguished in detail between voluntary and mandatory costs, between buyer and seller and referred to a professional party. Unfortunately, there are cases where respondents did not clearly distinguish between type of costs and parties. In such cases, the responses could not be included. Additional remarks are made for those cases, whenever possible. Figure 4.6 shows the mandatory fees charged for registration services to transfer a single residential dwelling, both for the seller and the buyer (15 countries). Table 4.6 presents the absolute values.

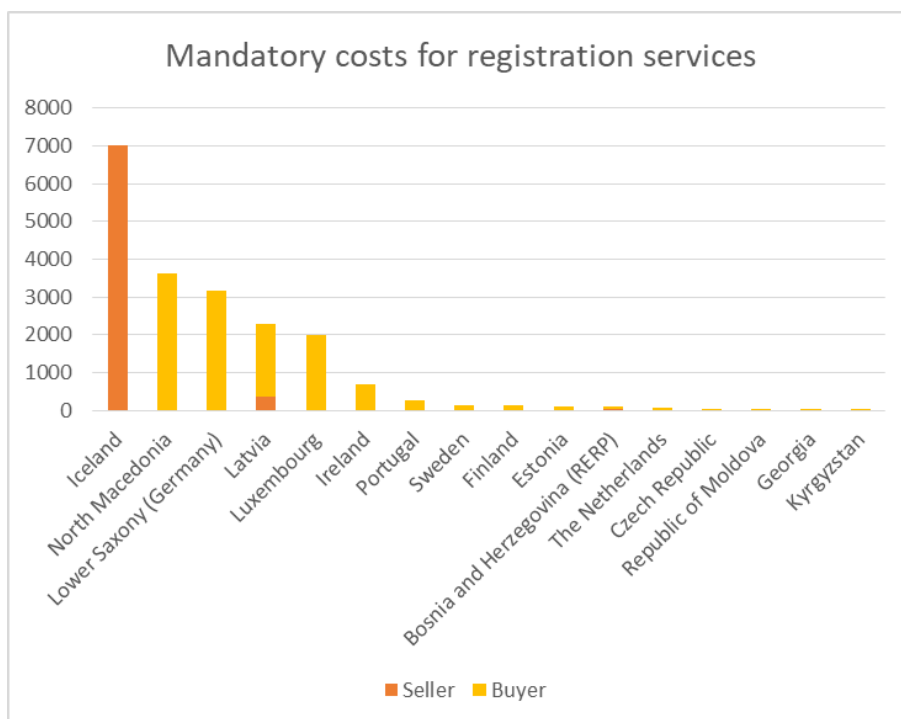


Figure 4.6 Mandatory costs (€) charged for registration services to transfer of a single residential dwelling

Respondent	Seller	Buyer	Remarks
Iceland	7,000	0	For public notary and estate agent
North Macedonia	0	3,610	For banks/financial institutions, local government
Germany (Lower Saxony)	0	3,150	For notary public, local government
Latvia	350	1,945	For notary public, local government, regional court
Luxembourg	0	2,000	For notary public and registrar
Ireland	0	700	For registrar
Portugal	0	250	For registrar
Sweden	0	120	For registrar
Finland	0	119	For registrar
Estonia	0	105	For national government
Bosnia and Herzegovina (Real Estate Registration Project)	50	50	For cadastral surveyor and notary public
The Netherlands	0	79	For registrar
Czech Republic	0	40	For registrar
Republic of Moldova	0	25	For registrar
Georgia	0	15 ⁴	For registrar
Kyrgyzstan	0	7	For registrar

Table 4.6 Mandatory costs (€) for land registration services

⁴ On agreement the costs can be shared between buyer and seller. In the majority of cases, the costs for registration services are paid by the buyer.

43. Countries also reported the following amounts:

- Austria indicated €2,200 (1.1 per cent of the market value) and €44 or 66 as a flat fee for the application (fully digital or paper-based) to be paid through the buyer, though it is not clear whether it is mandatory or not;
- Georgia indicated €15, which could be shared between seller and buyer, though usually it is the buyer. First registration of a land is free of charge under the ongoing land registration reform. Only in case of secondary registration of a transaction on land, the payment is mandatory.
- Albania claimed €50 mandatory costs for the buyer, costs for the seller were not clear;
- Serbia indicated € 550 as costs for the buyer, though it was not clear whether they are mandatory or not;
- Norway did not indicate mandatory costs, while the Federation of Bosnia-Herzegovina and Turkey did not indicate any costs at all;
- Luxembourg did not distinguish between the costs for the registrar and notary public (total € 2,000);
- Some respondents (The Netherlands, Finland, Northern Ireland) indicate that transactions on paper and electronic transactions follow different procedures and have different costs (electronic handling is cheaper).

44. The fees to be paid by seller and buyer for registration services to registrars only are listed in table 4.7 (16 countries) and visualized in figure 4.7.

Respondent	Voluntary	Mandatory	Calculation of fee
Germany (Lower Saxony)	0	1,000	Based on transfer value
Ireland		700	Graduated calculation, procedure applied transfer value
UK (Registers of Scotland)		399	Based on transfer/market value
UK (Her Majesty's Land Registry)	0	307	Gradual calculation (classes) and based on procedure applied
UK (Land Registers Northern Ireland)		250	Graduated calculation (classes) and market value
Portugal		250	Graduated calculation (classes)
Lithuania		56	Based on market value
Sweden		120	Fixed fee
Finland		119	Graduated calculation (classes) by decree
The Netherlands		79	Fixed fee depending on procedure
Armenia	0	45	Flat fee
Czech Republic		40	Flat fee
Albania		40	Flat fee (payment for cartel and fragment of cadastral map)
Republic of Moldova	0	25	Based on cadastral value, with maximum
Georgia	0	15	Flat fee
Kyrgyzstan	0	7	Applied procedure

Table 4.7 Costs (€) charged by registrars concerning registration services

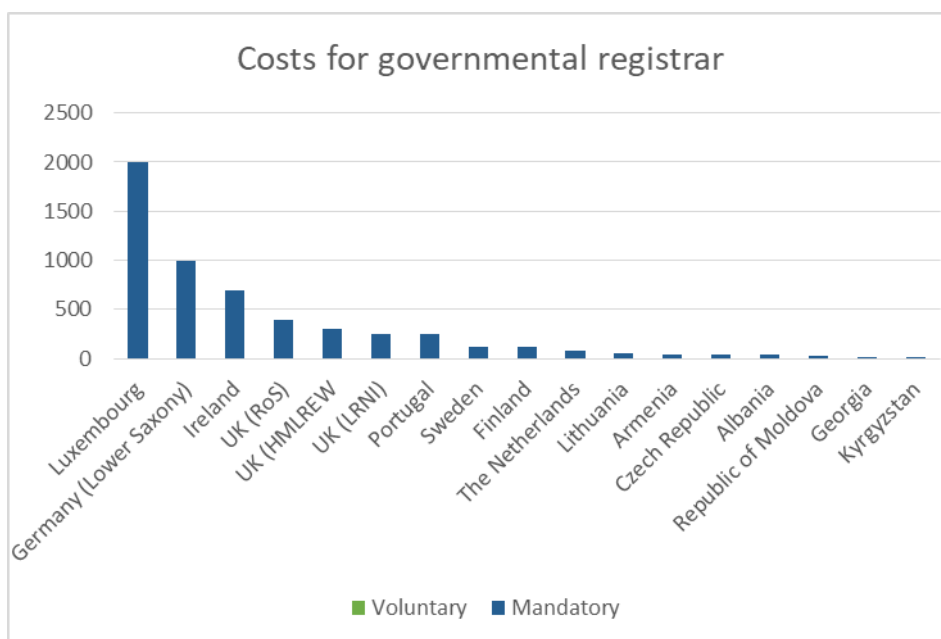


Figure 4.7 Costs (€) for governmental registrars

45. The following respondents did not report on costs for governmental registrars: Norway, Latvia, Federation of Bosnia and Herzegovina (Federal Administration for Geodetic and Real Property Affairs), Estonia, Bosnia and Herzegovina (Real Estate Registration Project), Serbia, Croatia, Iceland and Turkey. Details on the way registration fees are calculated are given in table 4.8.

Respondent	Calculation method
Austria	1,1 per cent of the market value for the constitution (Intabulation) of ownership (§ 32 TP 9a GGG): €44 for fully electronically filed applications €66 for paper-based applications. acc. to § 32 TP 9a
Bosnia and Herzegovina (Real Estate Registration Project)	Amount of transfer value x 2 per cent
Czech Republic	Administrative fee is given in the Cadastral law and is unified for all applications - 1 application - one fee.
Estonia	Tariff table https://www.riigiteataja.ee/en/eli/516012019010/consolide
Georgia	The fees are set by the Government Resolution No. 509 on Fee Rates, Payment Procedure and Timelines for Services Delivered by National Agency of Public Registry – a Legal Entity of Public Law under Ministry of Justice of Georgia (December 29, 2011)
Ireland	If the property is registered, the fee for a transfer is based on the sale price, as follows: Up to €50,000: €400 €50,001 - €200,000: €600 €200,001 - €400,000: €700 Greater than €400,000: €800 If a property is unregistered, then the fees are as follows: First Registration in Form 3 (where solicitor certifies the title): €130 First registration other than application in Form 3: €500

	The fee for a Voluntary Transfer is €130 and for registration of part of a folio (Open New Folio) is €75.																										
Lithuania	A fee for the registration of the land parcel of a person if the average market value of a land parcel is €16,000 is calculated accordingly: When the average market value of a land parcel ranges from €8,701 to €87,000, the following formula is used: €20.91 + 0.15 per cent of the difference between the average market value of the parcel and €8,700. A fee for registration of a building of a natural person if the average market value of a building is €76,000 is calculated accordingly: when the average market value of a building ranges from €29,001 to €145,000, the following formula is used: €10.14 + 0.03 per cent of the difference between the average market value of a building and €29,000. The Government of the Republic of Lithuania approves fees for registration of real property objects.																										
Germany (Lower Saxony)	Transfer and registration are two parts of one indivisible process, the costs for the notary public and governmental registrar altogether are 1.5 per cent of the purchase price/transfer value.																										
Luxembourg	The fees are 1 per cent of the market/transfer value.																										
North Macedonia	The cost is 3.2 per cent from the property value subject of transaction (in total).																										
Northern Ireland	Registration fees are based on a scale contained in legislation and depending on the market value; the minimum fee is €90 and the maximum €607; the fee for the average property is €295/250 (depending on paper or electronic submission).																										
Norway	Banks/financial institutions: if the transaction is financed by mortgage, the buyer has to pay a fee of about €50 to register the mortgage bond. National government: The fee for registering the title is €50.																										
UK (Registers of Scotland)	Fee is based on the transfer value or market value, whichever is greater. <table border="1"> <thead> <tr> <th>Consideration paid or value (£)</th> <th>Fee (€)</th> </tr> </thead> <tbody> <tr> <td>0 - 50,000</td> <td>66</td> </tr> <tr> <td>50,001 - 100,000</td> <td>132</td> </tr> <tr> <td>100,001 - 150,000</td> <td>264</td> </tr> <tr> <td>150,001 - 200,000</td> <td>396</td> </tr> <tr> <td>200,001 - 300,000</td> <td>528</td> </tr> <tr> <td>300,001 - 500,000</td> <td>660</td> </tr> <tr> <td>500,001 - 700,000</td> <td>792</td> </tr> <tr> <td>700,001 - 1,000,000</td> <td>924</td> </tr> <tr> <td>1,000,001 - 2,000,000</td> <td>1,100</td> </tr> <tr> <td>2,000,001 - 3,000,000</td> <td>3,300</td> </tr> <tr> <td>3,000,001 - 5,000,000</td> <td>5,500</td> </tr> <tr> <td>5,000,001 or more</td> <td>8,250</td> </tr> </tbody> </table> <p>Note: original fees in £ have been converted to € using the rate £ 1 = €1.1.</p>	Consideration paid or value (£)	Fee (€)	0 - 50,000	66	50,001 - 100,000	132	100,001 - 150,000	264	150,001 - 200,000	396	200,001 - 300,000	528	300,001 - 500,000	660	500,001 - 700,000	792	700,001 - 1,000,000	924	1,000,001 - 2,000,000	1,100	2,000,001 - 3,000,000	3,300	3,000,001 - 5,000,000	5,500	5,000,001 or more	8,250
Consideration paid or value (£)	Fee (€)																										
0 - 50,000	66																										
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2,000,001 - 3,000,000	3,300																										
3,000,001 - 5,000,000	5,500																										
5,000,001 or more	8,250																										
Republic of Moldova	0.05 per cent of the cadastral value, but not more than €25.																										
The Netherlands	€79 for automatically processed deeds, €138 for other deeds.																										

UK (Her Majesty's Land Registry)	HMLR Fee order scale		
	Value (€)	By post (€)	Online/portal (€)
	0 to 89,140:	45	22
	• 89,141 to 111,411:	89	45
	• 111,412 to 222,822:	211	106
	• 222,823 to 557,005:	301	151
	• 557,006 to 1 114 100:	602	301
	• 1,114,101 and over:	1,014	507
Note: original fees in £ have been converted to € using the rate £ 1 = €1. 11409.			

Table 4.8 Methods of calculation of registration costs

46. Some respondents made the following remarks on additional costs (costs mentioned here are not included in the total overview of costs):
- UK (Land Registers Northern Ireland): Priority search fee €35: this is lodged by purchaser and/or lender at contract/drawdown stage to prevent other dealings being registered within the period of priority. Inhibition fee €102/79: this is a note on the title register usually lodged by the lender and consented to by the registered owner. It operates to require either notice to or consent from the lender for any subsequent dealings with the property.
 - Czech Republic: Authorization of signatures: €2 per signature.
 - Kyrgyzstan: To establish a mortgage, there is a need to get insurance. Average cost is €25.

c) Tax (taxes related to the transaction, like transfer tax)

47. According to ECE (2014, p. 23), 'the form in which taxes are levied on certain types of properties reflects specific regional or national histories, economic contexts, and legal frameworks in each country.' The taxation of ownership of real estate is not studied in this report, although it is related to land registration: in many places like England and Wales, Germany, Scotland, it has to be proven first that all these taxes have been paid before any changes can be registered (EUI and DNotI 2005).
48. This study only concerns the taxation of some of the services within the land administration processes. For example, all European states levy a special tax on the sale of real estate. The rates range between 1 and 6 per cent, most frequently around 3 per cent (EUI and DNotI 2005). Taxation can encourage certain types of property transactions compared to others; for example, when charging different taxes or fees for existing dwellings and new dwellings, or between existing property owners and first-time purchasers (ECE 2014). In some countries, capital gains from the sale of residential property is taxed. For example, in Sweden the transfer tax rate is only 1.5 per cent for residential property and 4.25 per cent for properties owned by companies; however, the seller may have to pay capital gains tax (EUI and DNotI 2005).
49. Land transfer taxes are typically based on the value of the contract. Zevenbergen et al (2007) argue that this has negative effects on the performance of the registry but also on the allocation of land. They therefore recommend reducing the tax base and separate the collection of the tax from the transaction process. When the collection of tax is carried out by the tax administration, the state can intensify the real property market and expedite the processes and the implementation of the contracts. Additionally, EUI and DNotI (2005) report that parties in some southern European states may reduce the sale price in the contract or deed, in order to reduce the taxes.
50. Taxes relate to transfer tax and stamp duty tax. In several cases, several respondents included capital gain tax, in cases when the property is sold with a profit. In this analysis, capital gain tax or personal income tax based on profits made is not considered; the answers of respondents have been edited in accordance with this. The amount of taxes to be paid in transfers are visualized in figure 4.8. Five countries (Belarus, Bosnia and Herzegovina (Real Estate Registration Project), Estonia, Lithuania and Kyrgyzstan) do not apply transfer taxes.

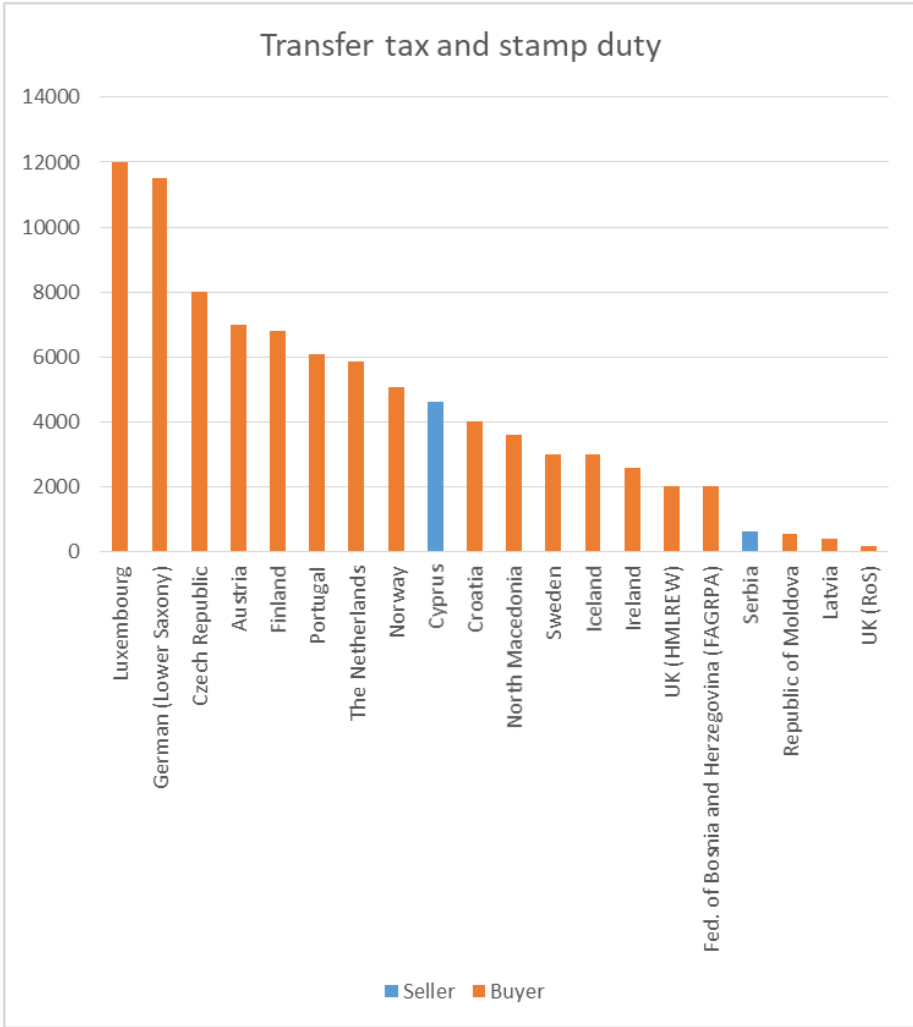


Figure 4.8 Total transfer tax and stamp duty (€)

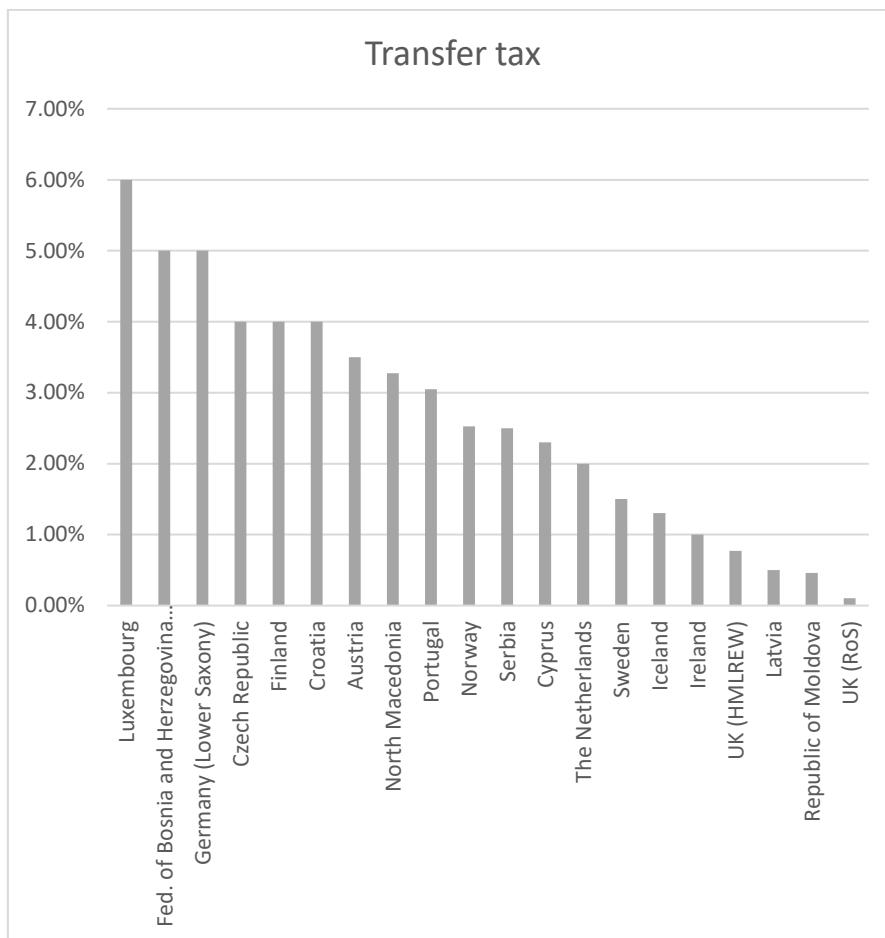


Figure 4.9 Tax as a percentage of the value of the dwelling

51. The average transfer tax for these 20 countries is 2.7 per cent (see figure 4.9). The majority of taxes are paid at national level (63 per cent), the others at local level (29 per cent) or via specific agencies, such as district courts (8 per cent). In many cases, tax is paid to the tax office, not to the registrar's office. According to EUI and DNotI (2005), transfer taxes were reported to be lowest in Scotland and Sweden (1 per cent or 1.5 per cent for residential property⁵). This research shows a different figure for figures: Sweden 3 per cent and UK (Registrars of Scotland): 0.1 per cent. The transfer tax in Sweden is 1,5 per cent for residential properties and 4,25 per cent for properties owned by companies, thus the average overall is 3 per cent. Sweden remarked in this questionnaire that transfer tax is considered a capital tax on a fixed asset. It is sometimes considered to be high, but it is below average in Europe.

52. Tax is exempted in several cases. Examples are:

- Financial situation: in case of amortization;
- Physical situation: to promote agriculture, urban rehabilitation, buying a new house;
- Personal situation: army soldier, inheritance, first time buyer, refugees, conversion of social ownership donation, family transactions, acquisition by spouse;
- Timing: selling after two years.

53. Additional remarks given related to taxation:

⁵ In Sweden, property owned by commercial parties is taxed by 4.25 per cent.

- Norway: ‘started with electronic registration in April 2017. E-registration effectively streamlines the registration process by making it easier, faster and less expensive. E-registration makes everyday life easier for estate agents and the financial industry, which now can do their registration electronically through their own management systems, while municipalities in Norway can register three types of usage cases from the cadastre electronically. E-registration is not available to the public yet, but the Mapping Authority is about to develop a solution for the public as well. This, in addition to changes in legislation, will affect the taxes in the municipalities and the real estate agencies' working methods in the future.’
- Germany: the tax rate valid for the state of Germany (Lower Saxony) is listed. The transfer tax in other states (Länder) in Germany varies between 3.5 per cent and 6.5 per cent⁶.

Summary on costs for transferring a single dwelling									
Respondents	Value used	Mandatory fees for legal/technical services		Mandatory fees for registration services		Tax		Total fees	
		Seller	Buyer	Seller	Buyer	Seller	Buyer	Seller	Buyer
Albania	200,000	150	860	*	*	0	0		
Armenia	200,000	0	0	*	*	0	0		
Austria	200,000	0	0	*	*	0	7,000		
Belarus	40,000	15	15	*	*	0	0		
Bosnia and Herzegovina Real Estate Registration Project)	40,000	0	300	50	50	0	0	50	350
Croatia	100,000	*	*	*	*	0	4,000		
Cyprus	200,000	0	9,200	0	0	4,600	0	4,600	9,200
Czech Republic	200,000	0	0	0	40	0	8,000	0	8,040
Denmark	200,000	*	*	*	*	*	*		
Estonia	90,000	0	300	0	105	*	*		
Federation of Bosnia and Herzegovina (Federal Administration for Geodetic and Real Property Affairs)	40,000	0	*	0	0	0	2,000		
Finland	170,000	*	120	0	119	0	6,800		
Georgia	200,000	0	0	0	15	0	0	0	15
UK (Her Majesty's Land Registry)	259,086	*	*	*	*	0	2,000		
Iceland	230,000	3,500	0	7,000	0	0	3,000	10,500	3,000
Ireland	257,000	*	*	0	700	0	2,570		
Italy	200,000	0	2,500 ⁷	0	⁸	0	4,100 ⁹	0	6,600
Kyrgyzstan	170,000	0	7	0	7	0	0	0	14

⁶ Correspondence by email

⁷ Approximately, as it depends on the professional. The fee is calculated on the basis of the value of the property.

⁸ Approximately, as it depends on the professional. The fee is calculated on the basis of the value of the property.

⁹ 2 per cent of the cadastral value for the main dwelling, or 9 per cent of the cadastral value, plus €100,00 of mortgage and cadastral tax (seller and buyer are jointly liable for the payments of taxes).

Latvia	75,000	0	0	350	1,945	0	375	350	2,320
Lithuania	92,000	437	287	0	56	0	0	437	343
Germany (Lower Saxony)	230,000	0	2000	0	3,150	0	11,500	0	16,650
Luxembourg	200,000	0	0	0	2,000	0	12,000	0	14,000
North Macedonia	110,000	0	5	0	3,625	0	3,600	0	7,230
UK (Land Registers Northern Ireland) ¹⁰	157,817	*	*	*	*	*	*		
Norway	200,000	280	0	0	0	0	5,050	280	5,050
Portugal	200,000	0	375		250	0	6,100	0	6,725
Republic of Moldova	120,000	115	0	0	25	0	550	115	575
UK (Registers of Scotland)	169,522	*	*	*	*	0	176		
Serbia	25,000	0	*	*	*	625	0		
Sweden	200,000	0	120	0	120	0	6,000	0	6,240
The Netherlands	292,000	100	500	0	79	0	5,840	100	6,419
Turkey	200,000	50	20	0	0	0	0	50	20
Ukraine	200,000	350	350	*	*	0	*		

Table 4.9 Mandatory costs (€) for transferring an average dwelling. **Not reported***

Table 4.9 indicates the costs related to the transfer of an average residential dwelling as far as they have been collected through the questionnaire. A question mark indicates that no value could be identified from the response, like the response was not clear or not indicated, the amounts given were not differentiated between seller and buyer or between voluntary and mandatory. Figure 4.10 displays the absolute mandatory costs, figure 4.11 the costs relative to the value of the dwelling. Based on the responses of 18 countries, overall mandatory costs vary between 0.01 per cent (Kyrgyzstan and Georgia) and 7.24 per cent (Germany, Lower Saxony), while the average mandatory costs are 3.4 per cent (taking into account the costs related to the transfer of dwellings with a default value of €200,000). In absolute value, the average total costs are €5,901.

¹⁰ There is such a large variance in fees depending on the professional and applicable tax that it is difficult to provide any figures.

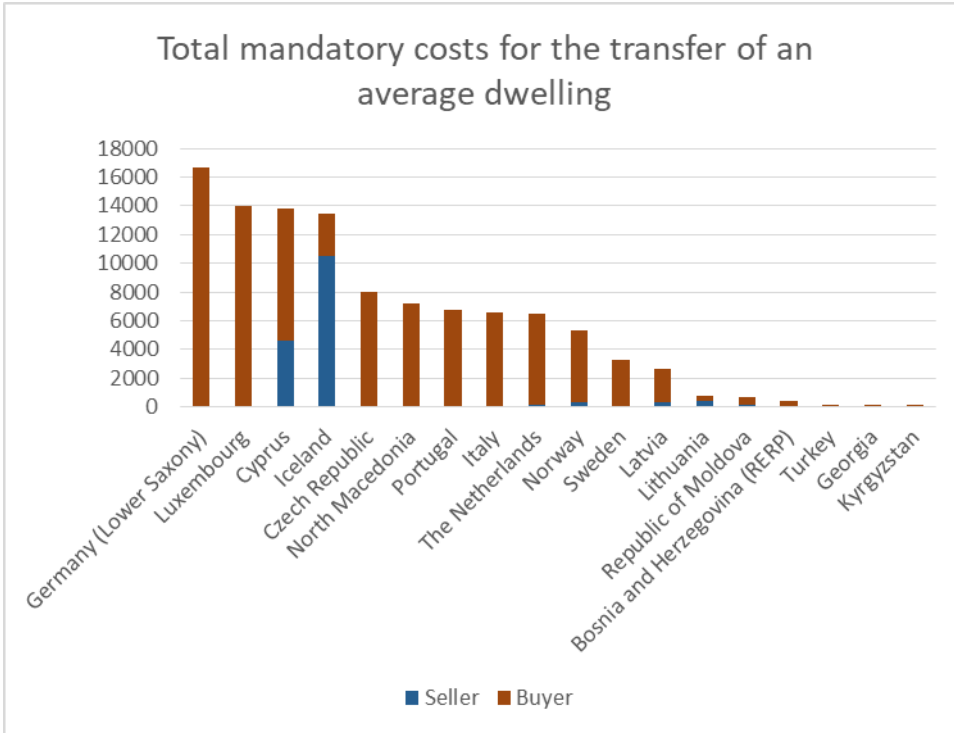


Figure 4.10 Total mandatory costs (€) related to the transfer of an average single dwelling

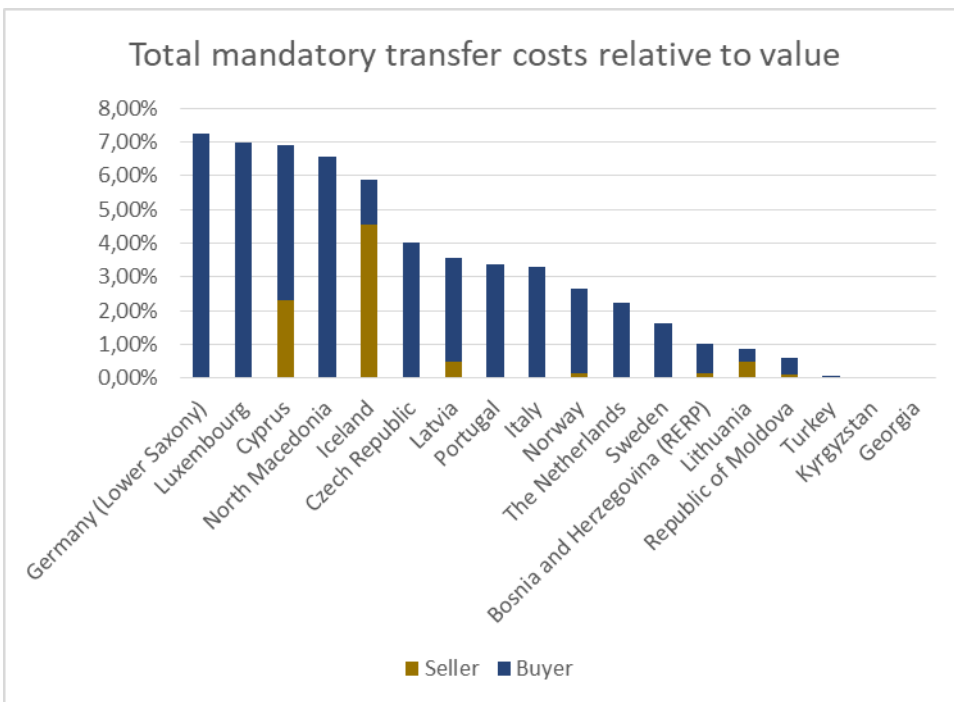


Figure 4.11 Total relative mandatory costs (€) related to the transfer of an average single dwelling

54. Several studies have been carried out in the past to assess the cost level of transactions, see for example EUI and DNotI (2005), Zevenbergen et al (2007) and ECE (2014). The results of these studies have been compared with the results from our survey; however, no firm conclusions could be drawn from this comparison. First of all, there was too much variety in the list of countries being

studied. Secondly, the approach and classification of cost items differed too greatly. It is therefore very challenging to carry out a trend analysis with respect to land registration costs, unless approach and methodology are kept the same.

V. Costs related to the establishment of mortgages

55. This section refers to costs and expenses related to getting a mortgage loan on an average residential dwelling. This use case has been to the greatest extent possible taken as a standalone use case (without transfer of ownership). According to EUI and DNotI (2005) a mortgage is usually opposable to third parties only after registration.

They distinguish between two groups:

- 'In most states, registration is required for the creation of the mortgage (constitutive effect) (e.g. England and Wales, Germany, Netherlands, Poland, Scotland, Spain, Sweden). Some states require registration as a precondition for the creation of a mortgage, even though registration of the transfer of ownership in land is merely declaratory (Italy, Poland, Spain).
- In some states, however, the mortgage is valid even without registration. Registration is required only in order to take effect against third parties (opposability) (e.g. Belgium, France, Luxembourg), (EUI and DNotI, 2005, p.87).

a) Legal/technical services (collecting preliminary documents, contract and deed drafting, signing contracts and deeds, property valuation)

56. Figure 5.1 shows which type of professional parties are involved in the delivery of legal and technical services to establish a mortgage. Twenty-nine respondents mentioned the involvement of one or more party in this process step. In addition, it is indicated whether the party is voluntarily or mandatorily involved.

57. All respondents reported on the need for banks or financial institutions to prepare the registration of a mortgage. In the majority of cases, it is mandatory. In five countries (Finland, Georgia, England and Wales, Serbia, Sweden) their involvement is voluntary. Notary public and property valuers are also common, both are reported by 62 per cent of the respondents. Governmental registrars are involved in 31 per cent of the cases, all but one is mandatorily involved.

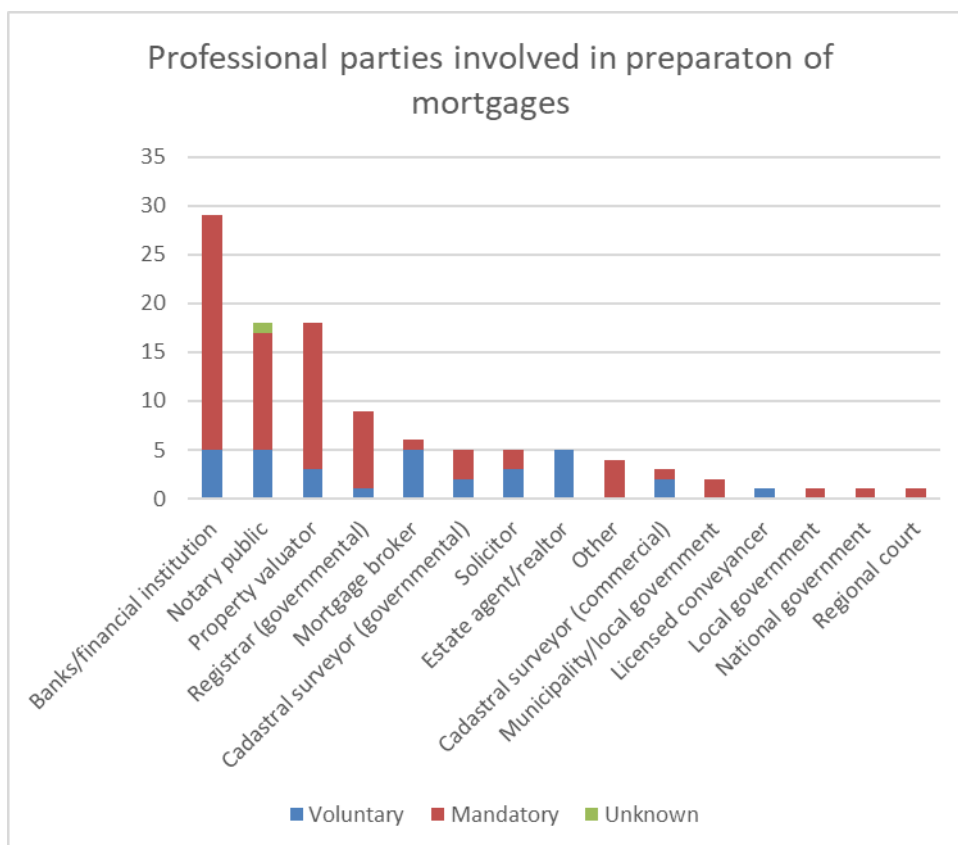


Figure 5.1 Professional parties involved in the preparation of mortgages

58. The following other parties have been mentioned as part of the process:

- Czech Republic: registration office - collecting documents
- England and Wales: Various searches
- Iceland: District Court (Landbook)
- Turkey: Natural Disaster Insurances Institutions.

59. Table 5.1 lists the costs for legal and technical services to establish a mortgage, payable by the mortgagor. Figure 5.2 presents the total mandatory costs for the mortgagor. Countries not listed did not indicate costs for the mortgagor or reported costs which were not clear.

Respondent	Voluntary	Mandatory
The Netherlands	2,400	500 ¹¹
Cyprus	0	2,000
Portugal	0	675
Lithuania	11	470
Albania	100	325
Bosnia and Herzegovina (Real Estate Registration Project)	0	410
Republic of Moldova	0	260
North Macedonia	0	250
Serbia	150	0

¹¹ In many cases, an average additional 500 € for property valuation is charged as required by the bank.

Belarus	0	95
Sweden	0	38
Kyrgyzstan	0	57

Table 5.1 Costs (€) related to legal/technical services for establishing a mortgage

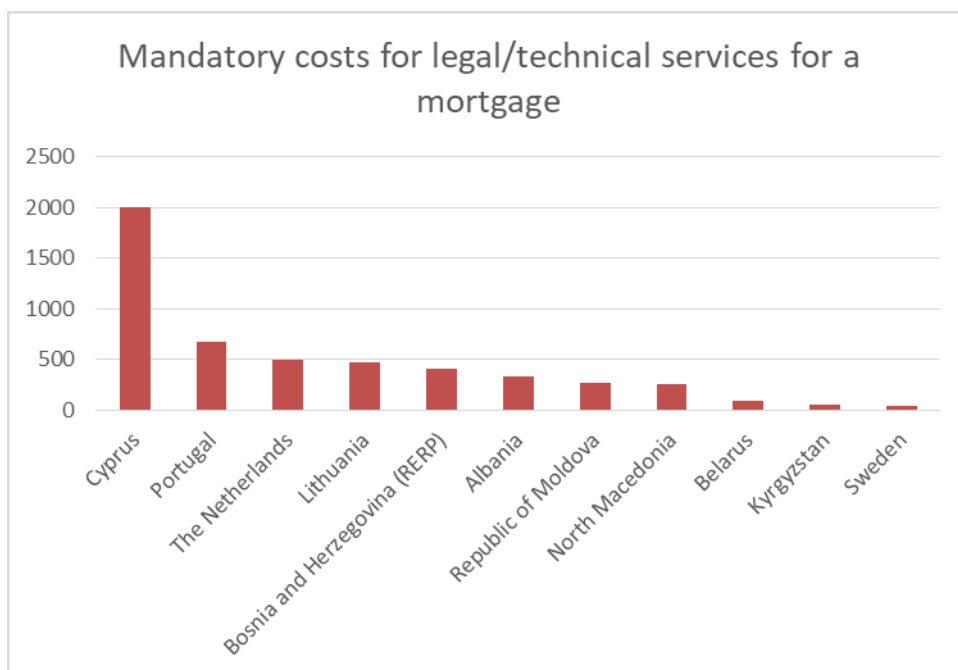


Figure 5.2 Total mandatory costs (€) for legal/technical services

60. The high voluntary costs in the Netherlands for the mortgagor relate to the fees charged by the mortgage broker. Cyprus reports significant high mandatory costs. They relate to the national government and bank/financial institution.

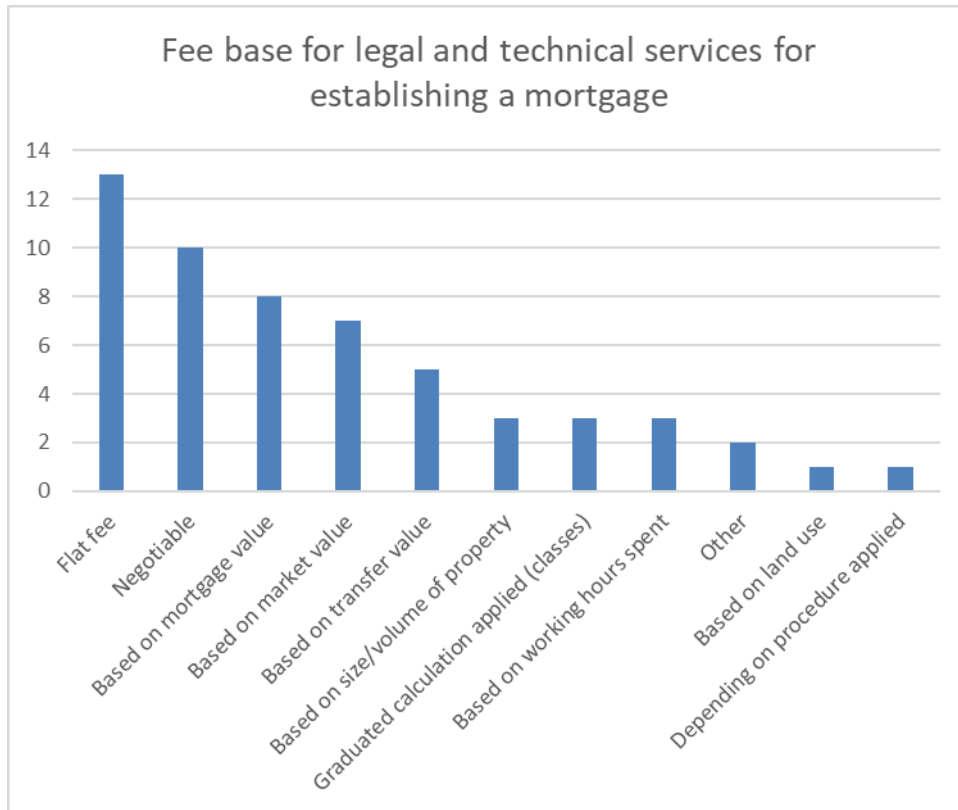


Figure 5.3 Fee base for legal/technical services

61. Figure 5.3 shows the fee base for the calculation of fees (27 respondents). The table show a wide range of fee bases, where the three most common types (flat fee, negotiable and based on mortgage value) account for 55 per cent of the cases. The category 'Other' relates to dependency on professionals and bank policies. Finland reports that fees for technical/legal services are included in the fees for registration of the mortgage.

b) Registration services (registering mortgages)

62. Figure 5.4 displays the parties involved in registering mortgages (31 respondents). The following do not register at a registrar though at a cadastral governmental surveyor (Bosnia and Herzegovina -Real Estate Registration Project), national government (Norway, Estonia, Cyprus), regional government (England and Wales, Northern Ireland), regional court (Latvia, Croatia), district court (Austria) and unknown (Serbia).



Figure 5.4 Professional parties involved in registering mortgages

63. Table 5.2 lists the total costs for the mortgagor, and the fees charged by the registrar or other party just for registering the mortgage.

Respondent	Total costs		Registration costs		
	Voluntary	Mandatory	Registrar (governmental)	Other	Fee base
Albania	0	70	60 or 70		Based on tariff table and mortgage value
Armenia	0	0	46		Flat fee
Austria	*	2,400*	2,400		1.2 % from the value of the mortgage
Bosnia and Herzegovina (Real Estate Registration Project)	0	100 (min)		100	2 % of mortgage value plus € 25
Croatia	0	900*		*	
Cyprus	0	0	*		
Czech Republic		40	40		Based on administrative/cadastral value
Estonia	0	0	72		Based on mortgage value and tariff table
Federation of Bosnia and Herzegovina (Federal Administration)	*	*	0*		

for Geodetic and Real Property Affairs)					
Finland	250	35	20 or 35		Tariff table; depending on manual or electronic processing
Georgia		15	15		Flat fee
UK (Her Majesty's Land Registry)	*	*	44		Depending on the value and manual or electronic processing (tariff table)
Iceland	*	20	*	20	Flat fee according to tariff table
Ireland		175	175		Flat fee
Italy		2,000	285 ¹²		Based on the guaranteed amount
Kyrgyzstan	0	7	7		Graduated calculation applied, depending on procedures
Latvia		0	90		0,1% of mortgage value + flat fee stamp duty
Lithuania		182	31		Flat fee
Germany (Lower Saxony)	0	0	*		Depending on mortgage value
Luxembourg		100	100		Based on mortgage value (0.05%)
North Macedonia		320	20		Based on market value
UK (Land Registrars Northern Ireland)		102*	*	102	*
Norway	50	50	*	50	Flat fee
Portugal		250	250		Flat fee
Republic of Moldova	0	4	4		Flat fee
UK (Registrars of Scotland)		55	55 or 67		Flat fee, depending on paper or digital submission
Serbia	0	150		*	
Sweden		*	*	*	Flat fee
The Netherlands		108	70 or 138		Flat fee, depending on automatically processed deeds or otherwise
Turkey	0	0	0		*
Ukraine	430*	370 or 390	*	20	Flat fee

¹² Assuming a loan of €100,000 (50 per cent of the dwelling value used), with a medium/long term credit as it is in the most of cases (i.e. longer than 18 months), it applies the substitute tax of 0,25 per cent of the guaranteed amount (instead of the ordinary tax of 2 per cent of the mortgage value) plus a fixed land registration tax of €35.

Table 5.2 Costs (€) for registration of mortgages at governmental registrar or other party

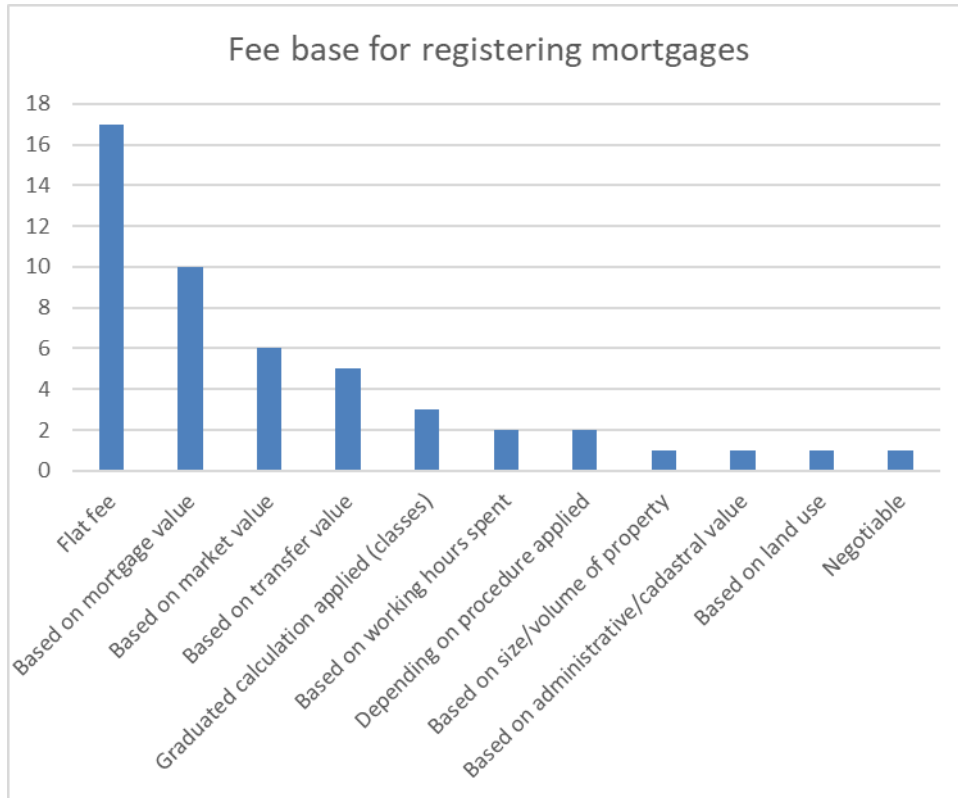


Figure 5.5 Fee base for calculating costs for registering mortgages

64. Figure 5.5 shows the fee base used for all professional parties calculating the costs related to registering a mortgage (28 respondents). Interpretation may have caused some ambiguity, for example indicating flat fee while a fixed percentage of the mortgage is used.

c) Taxes

65. Table 5.3 lists the countries which raise tax on the registration of mortgages. Nevertheless, the majority of countries do not raise tax: UK (Northern Ireland & England and Wales) Norway, Lithuania, Scotland, The Netherlands, Czech Republic, Finland, Belarus, Latvia, Georgia¹³, Albania, Austria, Germany (Lower Saxony), Estonia, Cyprus, Kyrgyzstan, Bosnia and Herzegovina (Real Estate Registration Project), Croatia, Iceland and Ukraine. Turkey and Ireland did not respond to this question.

66. The following exemptions were reported:

- Luxembourg: Some particular mortgages are free of fees, e.g., a legal mortgage in favor of the State.
- Italy: a substitute tax of 0.25 per cent that applies to the total amount of all credits, in case of medium- and long-term credit companies and credit institutions.

¹³ While no tax is raised on establishment and registration of mortgage, companies, banks or private persons giving loans or performing other activities pay either corporate income tax or personal income tax.

Country	Tax amount	Tax base	Method of calculation
Luxembourg		Mortgage value	0.05 %
Portugal		Mortgage value	(stamp duty)
North Macedonia	270	Market value	Percentage of the property value
Italy		Mortgage value	€3,500 plus 2 % of the guaranteed amount.
Austria	1,600	Mortgage value	0.8 % of the Mortgage (Credit)Value
Republic of Moldova	154	Mortgage value	0.2 % of mortgage value
Serbia	200	Transfer and market value	
Armenia	2	*	*

Table 5.3 Taxes payable (€) when registering a mortgage

d) Overview of total costs

67. The total costs for registering a mortgage could be established for only five countries (see table 5.4 and figure 5.6). For the other countries, the costs for each and every process step could not be derived with certainty from the answers given.

Respondent	Legal/technical	Registration	Tax	Total
Cyprus	2,000	0	0	2,000
Lithuania	470	182	0	652
The Netherlands	500	108	0	608
Bosnia and Herzegovina (Real Estate Registration Project)	410	100 (min)	0	510
Albania	325	70	0	395
Kyrgyzstan	57	7	0	64

Table 5.4 Total mandatory costs (€) for registering a mortgage

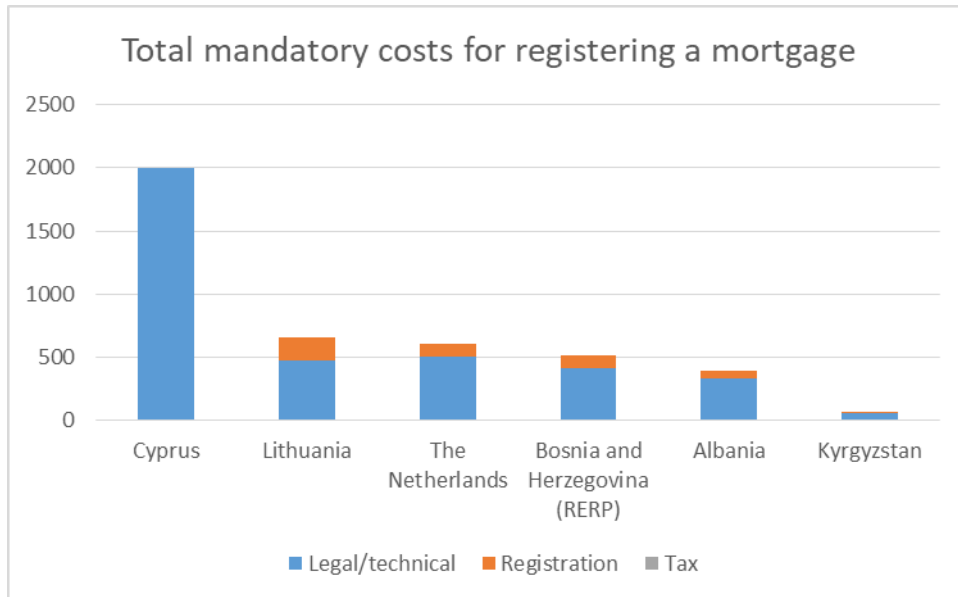


Figure 5.6 Total mandatory costs (€) for registering a mortgage

68. Additionally, the following observations can be made:

- With regard to costs for legal and technical services, banks/financial institutions, notary public and property valuers are the main parties involved. Mandatory costs range between € 38 (Sweden) and € 2,000 (Cyprus), while it is important to note that other respondents did not indicate costs for these services;
- When registering established mortgages, governmental registrars, notary public and banks/financial institutions are the main parties involved. Mandatory costs range between €4 (Republic of Moldova) and €2,400 (Austria);
- A majority of respondents did not respond to the survey on taxes charged on registering mortgages. The ones who did (9 respondents) charged an amount between 0.05 and 2 per cent;
- Italy charges over € 3,500 and Austria charges in total € 4,000 worth of costs relating to registering a mortgage, which is significantly higher compared to the other respondents.

VI. Costs related to subdivision of an average residential land parcel

69. Zevenbergen et al (2007) distinguish between four basic components of property formation due to subdivision:

- Land policy control;
- Preparation of case (surveying but also rights management);
- Cadastral decision: new property formation by law;
- Registration.

70. Land policy control, for example the costs relating to changing land use, is not part of the scope of this study. This section refers to costs and expenses related to the subdivision of an average residential land parcel in each respondents' area of jurisdiction.

71. Basic assumptions for the respondents to estimate costs of subdivisions are:

- A standard size of 500 m² is used as the sample size of an unbuilt parcel in a residential area in the area of jurisdiction that has to be subdivided into two equal parts;
- The subdivision is taken as a standalone use case without taking into account the fees for an eventual subsequent transfer.

a) Cadastral service (surveying parcels, updating cadastral maps and registers)

72. Figure 6.1 displays the parties involved in subdivision of a parcel (29 respondents). Obviously, processes and the type of involved parties differ to a great extent.

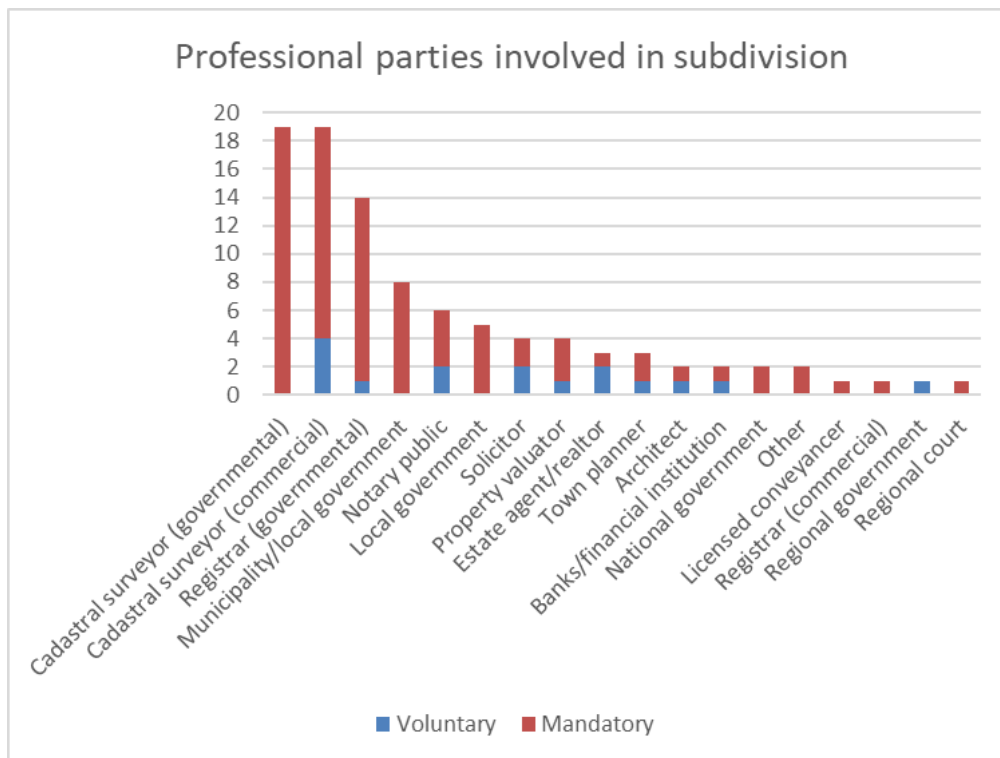


Figure 6.1 Professional parties involved in subdivision

73. The following other parties have been mentioned:

- Lithuania: National Land Service under the Ministry of Agriculture; Public Health Centre, Utility Companies
- Austria: District Court (Land book).

Respondent	Owner/seller		Buyer		Surveyor	Registrar
	Voluntary	Mandatory	Voluntary	Mandatory		
Albania	0	185	0	0	120	65
Bosnia and Herzegovina (Real Estate Registration Project)	0	150	0	100	*	*
Croatia	0	530	0	0	500	0
Cyprus	0	240	0	0	0	0
Czech Republic	0	250	0	0	250	0
Estonia	0	500	0	0	500	0
Federation of Bosnia and Herzegovina (Federal Administration for Geodetic and Real Property Affairs)	0	0	100 (min)	100	200 (min)	0
Finland	0	0	0	850	850	0
Georgia	0	42	0	0	27	15
Ireland	0	0	0	75 (min)	0	75 (min)
Italy	0	137 (min)	0	0	137 (min)	0
Kyrgyzstan	0	47	0	0	40	7
Latvia	0	60 or 225	0	0	60 or 225	0
Lithuania	0	606	0	0	600	6 ¹⁴
Germany (Lower Saxony)	*	*	0	0	2,000	0
North Macedonia	0	0	0	250	*	*
Norway	0	3,500	0	0	0	0
Portugal	0	0	*	*	*	250
Republic of Moldova	0	130	0	0	100	25
Serbia	0	0	0	550	*	*
Sweden		3,500			3,500	
The Netherlands	0	420	0	0	420	0
Ukraine	*	*	*	*	*	20

Table 6.1 Costs (€) for subdivision of a parcel

74. Table 6.1 lists the total costs related to the subdivision of a parcel and as part of the total costs the specific costs for the surveyor and the registrar. Northern Ireland, Armenia, Iceland, Luxembourg, Turkey, England and Wales, Scotland, Belarus did not indicate costs for subdividing a parcel. Austria referred to the costs of registering a mortgage (which were found to be high).

¹⁴ Covers the costs for registration of two parcels (excluding the costs for registration of ownership rights)

75. Figures 6.2 and 6.3 were distilled based on table 6.1. When responses were not fully clear, they were excluded from the figures. Regarding Latvia, the costs for the commercial land surveyor (€225) are taken into consideration.

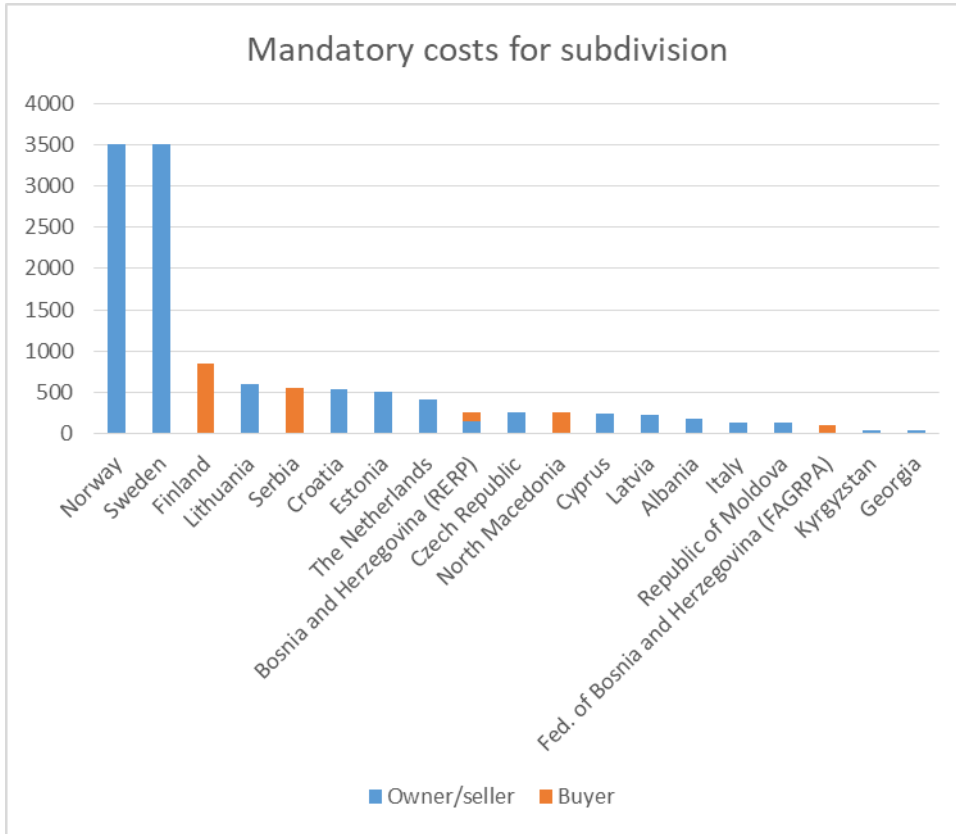


Figure 6.2 Mandatory costs (€) for subdivision of an unbuilt parcel

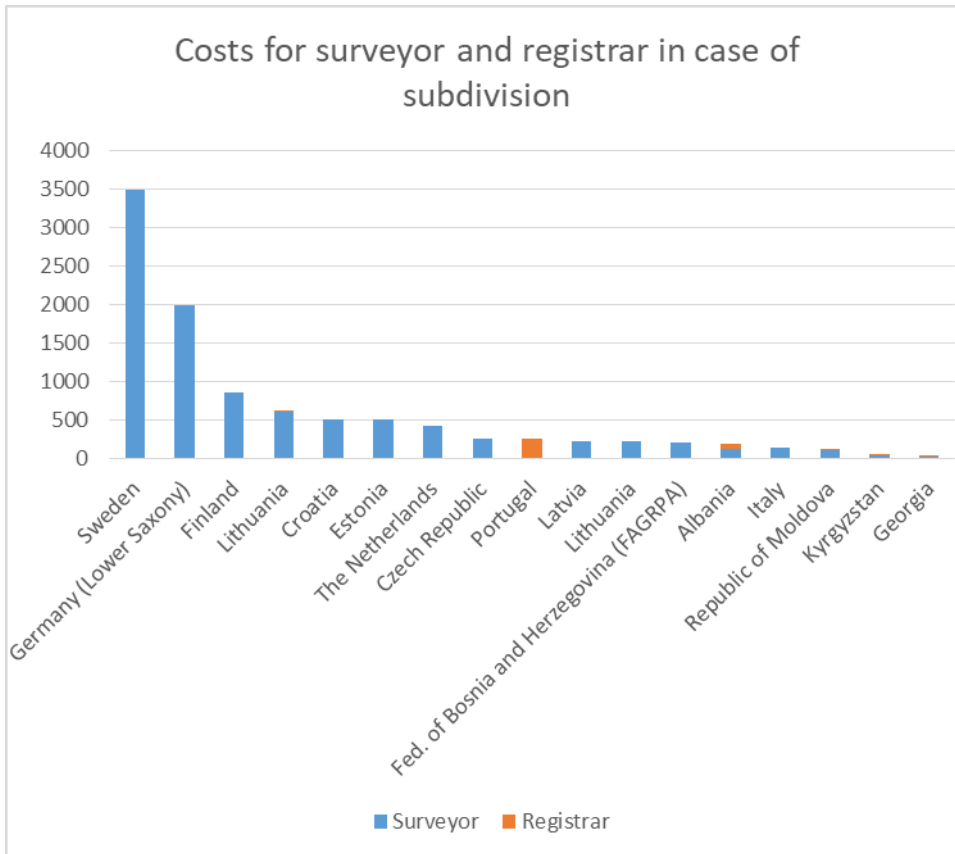


Figure 6.3 Costs (€) for services regarding surveyor and registrar in case of subdivision

76. High costs for subdivision are reported in the response from Norway, where the seller must apply to and pay a local municipality for cadastral surveying and property formation. Costs may range from € 3,000 to € 4,000. In Sweden, costs for a governmental surveyor are sometimes calculated on working hours, sometimes use a flat fee and vary according to the complexity of the subdivision.
77. High costs for surveying are reported from Sweden and Germany (Lower Saxony) (a governmental surveyor is mandatory, a private surveyor voluntary, costs depending on various factors). The costs for a surveyor in other states of Germany may differ from the costs in Lower Saxony.

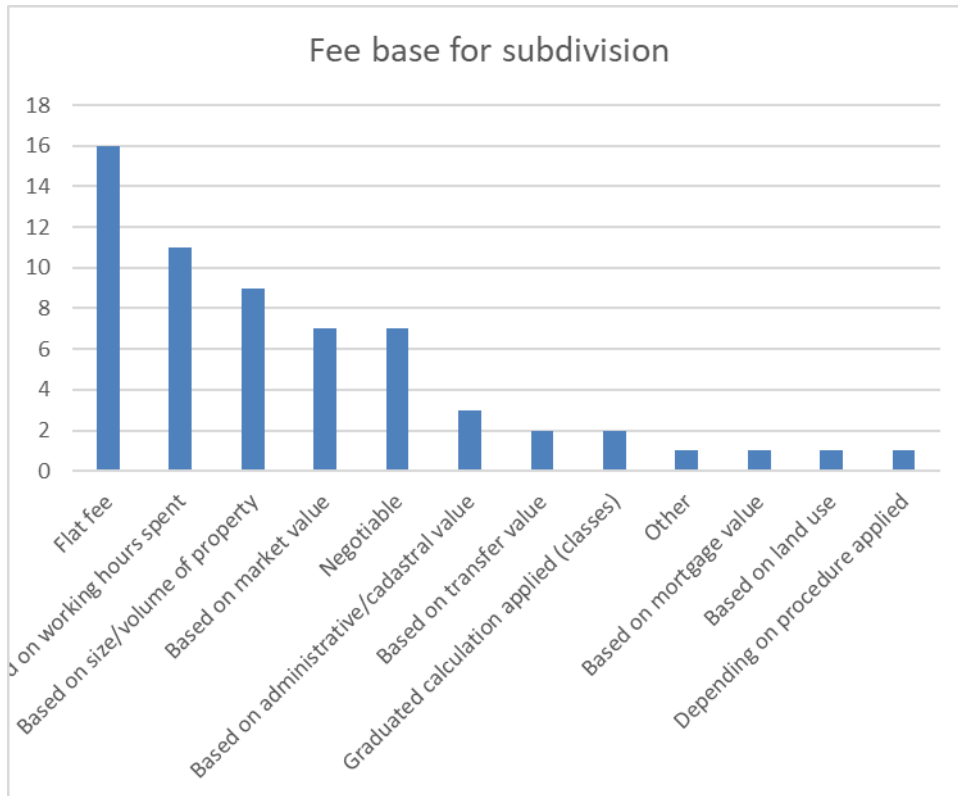


Figure 6.4 Fee base for subdivision

78. The fee base for subdivision is displayed in figure 6.4 (28 respondents). The 'Other' fee base relates to number of boundary points Germany (Lower Saxony). In addition, Turkey reports on an extra service: subdivision control services costing €27 for each parcel, which is not included in the tables and figures above.

b) Conclusions

79. Almost all costs in the subdivision process are mandatory. Large differences exist with respect to what is charged for subdivision. Due to the focus on land surveying, the fee base is determined more by working hours spent and the size/volume of the property and less by the value of the parcel.

VII. Inspection costs

80. Inspection fees have been studied separately, though they might also have been included in the processes of transfer, registering a mortgage or subdivision. They might have been integrated with the costs for legal and technical services.

81. Table 7.1 lists the fees charged for inspecting the registers. There are various ways of inspection, which may be charged differently, digitally:

- Through a webportal (often a free service): the amount of information provided may vary;
- Through electronic file: PDF: depending on print size.

Analogue:

- Number of pages.

82. It is therefore difficult to compare the fees. They range between €0 and 58 (Northern Ireland, in case appurtenant are shown on a certified copy.)

Respondent	Fee for the inspection of a title or deed register	Additional fee (if any) for the inspection of a map/cadastré	Fee for a certified copy of a title or deed register and the associated map/cadastré
Albania	€5	€5	Copy of title €8 Copy of cadastral map €12
Armenia	€2	less than €1	less than €1
Austria	€1 to €14	€3 to €15	€10, depending on amount of graphical data
Belarus	0	0	€2
Bosnia and Herzegovina (Real Estate Registration Project)	0	0	€7
Croatia	0	0	title deed € 3 map cadastré €5
Cyprus	Search fees €20	0	€10
Czech Republic	0	0	€4 per page A4
Denmark	*	*	*
Estonia	€2	€0	€0
Federation of Bosnia and Herzegovina (Federal Administration for Geodetic and Real Property Affairs)	0	0	€5-6
Finland	*	*	€14 or 18
Georgia	0	0	0
UK (Her Majesty's Land Registry)	€3	€3	€7
Iceland	Flat fee per document according to tariff		They are all certified - Flat fee per document according to tariff
Ireland	€5	0	€40

Italy	From €3 to 20 depending on the type of search	€1,00	€11
Kyrgyzstan	€2	€2	€2
Latvia	€5	€3	€6 and 7
Lithuania	€1	€1 or 2	€1, €3-9 for printed versions
Germany (Lower Saxony)	0	depending on federal laws	certified extract €30 to €40
Luxembourg	€1		€1 per page (deed).
North Macedonia	no fees	no fees	€3
UK (Land Registrars Northern Ireland)	€6	€6	€19/58
Norway	0	0	17
Portugal	*	*	*
Republic of Moldova	€3	€3	€3
UK (Registers of Scotland)	€3 to €24	€4 to €28	certified copy €35 plain copy €19
Serbia	0	0	€10
Sweden	€0	€0	€0
The Netherlands	€3	€2	€35
Turkey	free or €1	free or €2	for title €7 for cadastral map €2
Ukraine	€2	*	€3

Table 7.1 Inspection fees

83. The following remarks on inspection fees are brought forward:

- Northern Ireland: ‘search fees online service currently under review’;
- Scotland: ‘The same fee is charged irrespective of whether it is part or the whole (incl. cadastral map) of the title/register entry’;
- The Netherlands: ‘Certified copies are never required for any application for public services’;
- Finland: ‘There are various contract-based services for organizations (banks, etc.) and when using them the inspections can be done at much lower price than otherwise’;
- Italy: ‘All the specified fees don’t include stamp duties, whose amount in case of certified extracts depends on the number of pages’;
- Republic of Moldova: ‘The cadastral map can be viewed online, no fee applicable. The registrar can be inspected online. The service is provided on a monthly subscription fee, based on number of searches of the register. The lowest subscription is €12 for 200 searches, thus one search = €0,06’;
- Cyprus: ‘Inspection of Registers is limited to certain individuals according to Law’;
- Lithuania: For preparation, issue and approval of the copies of documents contained in the Register files and in the cadastre surveying files: €1.45’.
- Austria: ‘Concerning the Cadastre (Federal Office for Metrology and Surveyance): Our standard charges will be remunerated appropriately in accordance with the fair market value, see Section 305 ABGB. In principle the standard charges have to consider the additional expenditure for the reproduction and dissemination of the geospatial data and comply with the principles for calculating the fees in accordance with the § 7 of the IWG [Informationsweiterverwendungsgesetz].
Consideration of European Directives:

- INSPIRE Directive – Spatial Data Infrastructure Act (GeoDIG). These standard charges and licensing conditions take both into full account, the requirements of the INSPIRE Directive as well as of the GeoDIG and therefore cover business cases according to INSPIRE.
- PSI Directive - Act on the Re-use of Information (IWG).
- The domestic transposition on the Austrian federal level took place by an amendment of the IWG (BGBl I Nr 76/2015) in 2015. These standard charges and licensing conditions take the Austrian Act on Re-use of Information into full account.
- Federal Ministry of Justice: Concerning Information from the Landbook: PSI Directive - Act on the Re-use of Information (IWG).
- The domestic transposition on the Austrian federal level took place by an amendment of the IWG (BGBl I Nr 76/2015) in 2015. These standard charges and licensing conditions take the Austrian Act on Re-use of Information into full account. Intabulation (constitution of rights) fees are based on national regulations.’

84. ECE (2014) already reported on these inspection costs (related to one query on one real estate object not owned by the registrant who inquires): In Armenia, Belgium, Croatia, Germany, Italy, Lithuania, Malta and Serbia, inspection of the register was reported to be free¹⁵; the highest fees were charged in England and Wales, Denmark and Belarus: €20. The average fee was calculated at €5.3. See figure 7.1 below for the details. The values displayed in this bar chart are in general lower compared to the ones from this study.

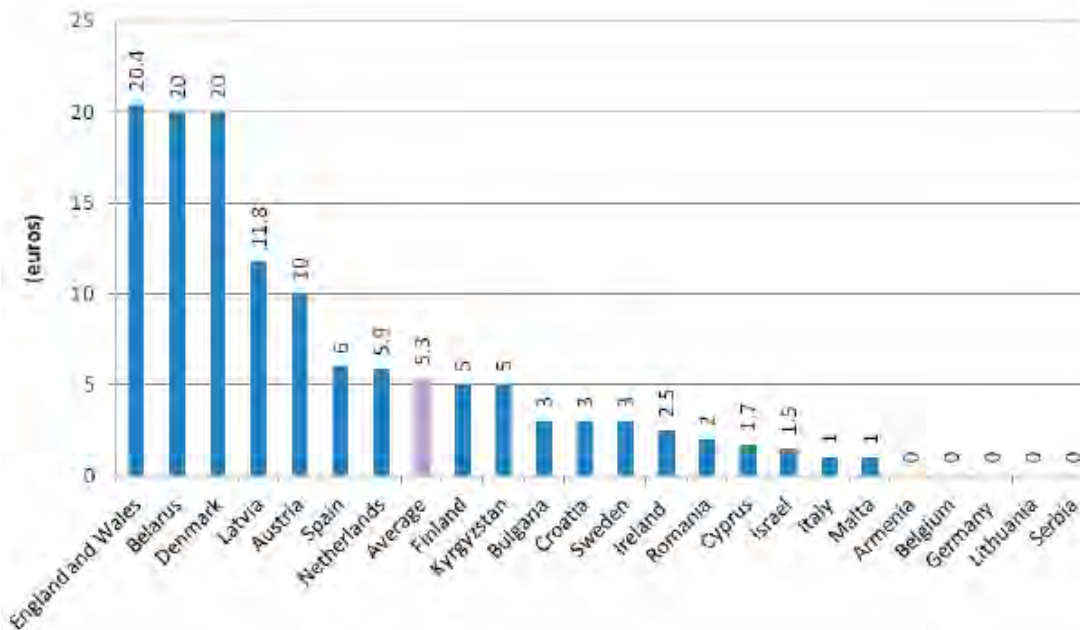


Figure 7.1 Fees for an inspection of the title register and map (ECE 2014)

¹⁵ While this survey indicates that most agencies in the listed countries now do charge for inspection (or certified copies).

VIII. Policies on fees and future developments

85. This chapter discusses briefly the arguments and policies behind the calculation of costs as given in the previous chapters. It also reports on the developments on cost calculation in the near future.

a) Policies on fees

86. According to Working Party (2009), all States who participated in that study had legislation in place to regulate fees and charges. In general, countries do charge the users of land administration services, usually based on full cost recovery. The more efficient the services, the lower the charges, and consequently the transaction costs. Low transaction costs will stimulate the property market. However, when the recovered costs are flowing to the central budget and not to the agency in charge, the drive for efficiency might be lacking (Working Party 2009). ECE (2014) therefore advocates for a more business-like environment within public sector operations, aiming to improve efficiency through better planning, management, and operational standardization.

87. ECE (2005) already reported on the emergence of public-private partnerships, which enable the public sector to use resources from the private sector to supplement the work. The extent of involvement differs between countries. Additionally, these partnerships appear in different forms throughout the ECE member States. For example, some countries (Sweden, Finland) make little use of the private sector while others use licensed land surveyors or private lawyers to act as State notaries (ECE 2005).

88. Studying the results of the previous chapters, it is clear that each country/state has a unique constellation of parties involved and a unique set of processes and policies, including policies on fees. Levels of fees are varying, as well as whether services are taxed or not and which, etc. ECE (2005) acknowledges the existence and operation of each unique individual system within its own social, economic and cultural environment. And it adds that 'it does not advocate any unique solution because each country has a different history and experience' (ECE 2005, p. 5).

89. The following arguments have been mentioned as the pillars for the policies and regulations on fees for land administration:

- Cost recovery (Northern Ireland, Georgia, Lithuania, Scotland, Ireland, the Netherlands, Finland, Latvia, Italy, Germany (Lower Saxony), Estonia, Republic of Moldova);
- Land market stimulation (Georgia, Albania, Germany (Lower Saxony), Cyprus);
- Fees are calculated based on Activity Based Costing methodology (ABC), i.e. fees for real property registration and cadastre services are based on the actual costs. However, fees for the registration of ownership rights are based on the average market value of property and differed for the registration of a building and for the registration of a land parcel (Lithuania);
- Fees differ between natural persons and legal entities (Lithuania);
- The ability to adjust registration fees by +/- £ 10 should unusual market forces require it (Scotland);
- Fees and fee changes being publicly consulted upon on, requiring approval by ministers and then being enacted in law/decreed or policy (Scotland, Ireland, Czech Republic, Belarus, Latvia, Lithuania, England and Wales, Republic of Moldova, Croatia, Turkey);
- Fees being progressive and calculated based on a proportion of the transfer/market value of the land being purchased (Scotland);
- Lower fees through digitalization (Norway, The Netherlands, England and Wales);
- Fair distribution of fees and taxes (Italy, Germany (Lower Saxony), Republic of Moldova, Cyprus);
- Approved fees might be lower than costs to stimulate land consolidation processes (Republic of Moldova);
- Fees based on time and material, no tax (Kyrgyzstan);
- A mixture of traditions and the slow implementation of best practices (Iceland);

- Revolving Fund (Turkey).
90. While cost recovery is the main driver to establish a fee structure, one can note that countries sometimes amend fees to stimulate either the land market in general or specific uses and processes. Countries may additionally introduce a margin, or an ability to adjust.

b) Future developments

91. The penultimate question in the questionnaire inquired about any changes foreseen in the way fees are calculated for registrants using land registration services. While 24 respondents did not report any significant changes, the following developments have been reported by the remaining 9 respondents:
- Northern Ireland: ‘Anticipated reduction after the implementation of automation to increase efficiencies’;
 - Sweden: ‘A change regarding taxation or transfer between “enterprises” within the same corporate group is currently under revision’;
 - Norway: ‘Electronic registration is not available to the public yet, but the Mapping Authority is about to develop a solution for the public as well. This, in addition to changes in legislation, will affect the taxes in the municipalities and the real estate agencies’ working methods in the future’;
 - Lithuania: ‘As a result of expanding activities of the Centre of Registers and changes in legal framework for calculation of fees for the services provided by the Centre of Registers, it was established that the methodology and measures used by the enterprise for the cost accounting and their distribution for activities does not correspond to the needs of today’s enterprise. Therefore, the Government of the Republic of Lithuania passed a resolution to revise and update fees for the services provided by the Centre of Registers, including registration fees. With reference to Resolution of the Government of the Republic of Lithuania No 265 as of 20 March 2019 and Order No 1V-526 of Communications Regulatory Authority of the Republic of Lithuania as of 1 June 2018 fees for the provided services will not differ for natural and legal entities, will not be based on the average market value of property and will not be related to the type of property (land parcel, building, apartment, etc.). Flat rates will be introduced which are calculated using the ABC (Activity Based Costing) methodology.’;
 - UK (Registers of Scotland): ‘Registry of Scotland fees are reviewed every year with any proposal for registration fee changes requiring the approval of the Scottish Ministers. We are actively developing ways of streamlining and simplifying our processes, with this already being reflected in the fee to register a discharge of standard security via our digital service being £10 less than the paper based equivalent’;
 - Germany (Lower Saxony): ‘open data initiatives’;
 - Ireland: ‘The fees for Registrar (governmental) are reviewed periodically and adjusted when required. This is a decision of government and not the Registrar and we are not aware of any imminent change to these fees’;
 - Albania: ‘This is a process that is constantly reviewed by the Government every 4 years. This year the Government has decided to join IPRO (Immovable Property Registration Office) and ALUIZNI (Agency for Registration Informal Building). I think that the tariffs then can be revised’;
 - England and Wales: ‘During 2018/19, we are planning to consult on updated fee structure proposals. The current fee order structure has been in place for more than 30 years and was designed to serve a paper-based registration system. Her Majesty’s Land Registry regularly reviews the level of fees set and, in the past, fees have been lowered as in the 2012 fee order. The current fee order, which came into force in 2014, reduced the number of scale fee bands and introduced a discount for lodging register updates electronically. The intention of our new proposals would be to simplify our fees, reducing the number of different types of fee payable, and to better align the fees to the cost of delivering the services we offer. Any changes would not be designed to raise additional revenue but to remain neutral overall, with future changes expected to reduce fees as efficiency savings are realized from the Digital Programme. As part of the consultation proposals’ development, a Regulatory Impact Assessment has been

undertaken so that we can understand the effect any proposed changes would have on our customers. We have also been in discussion with a number of government stakeholders including BEIS, Her Majesty's Treasury, the Ministry of Justice and the Ministry of Housing, Communities and Local Government to ensure our proposals would support wider Government aims.'

92. From the responses given, it is concluded that several countries do regularly reconsider and adapt their fees and charges, taking changing needs and circumstances into account. According to Working Party (2009), a tendency was observed that many countries were taking a more business-oriented approach and requiring their registers and cadastres to operate under the principles of cost-recovery by its users. It was also observed that some countries merged all land registration operations under one responsible body. Lastly, technology advances on the one hand have facilitated the lowering of costs and fees, but on the other, have also created opportunities for added value creation, thereby increasing financial returns. While this questionnaire did not elaborate on specific opportunities for value added services, it does confirm the drive to lower costs through simplification and digitization of processes.

IX. Conclusions and recommendations

93. This report provides for a clear overview of the costs for land registration services across the member States of ECE. Nevertheless, due to the local conditions, institutional arrangements, legal provisions, procedures, exceptions, conditions etc., it is very hard to compare these costs. As Zevenbergen et al (2007, p. 20) already concluded, ‘we cannot award a gold medal to the country with the lowest transaction costs: the results are simply not comparable. It appears that differences are justified, while a drive to standardize to one solution is not justified and, fortunately, also not politically feasible.’ Nevertheless, transparency on costs are of significant importance as is the continuous effort to keep costs as low as possible
94. The average value of a dwelling is €146,000, based on 18 respondents. For the **transfer of** such a dwelling, the average mandatory costs are 3.4 per cent, representing €5,901 of total costs. The average transfer tax is 2.7 per cent and is therefore the main mandatory cost item for a transfer of real estate throughout the ECE region. Several countries, however, do not charge transfer tax. In the countries who do have a transfer tax in place, rates vary enormously. The tax for an average dwelling in Scotland is €150, whereas the tax in Luxembourg amounts to almost €10,500.
95. Regarding the **registration of mortgages**, the costs for mandatory legal/technical services varied between €38 (Sweden) and €2,000 (Cyprus); while for registration services they range between €4 (Republic of Moldova) and €2,400 (Austria). Taxes on mortgage registration vary between 0.05 and 2 per cent. It should be noted that many countries did not report on the fees for one or more of the services or taxes mentioned.
96. The costs for a **subdivision of a parcel** of 500 m² range from €42 (Georgia) to €3,500 (Norway, Sweden).
97. Costs for the **inspection of the register** are reported to be free by 10 respondents. The rest of the countries charge a rather low fee (€1-5) for online documents. Registrants pay in almost all countries more for paper documents, for example €58 for a certified copy of the register with a diagram delivered by normal mail (Northern Ireland).
98. As a final outcome of this study an overview of the mandatory costs of all processes combined can be produced (disregarding any costs cuts or discounts due to combined handling). However, due to ambiguity of some of the answers given, only five countries qualify for such a comparison. Table 9.1 lists the absolute values of the total mandatory costs for the registration of a transfer, mortgage and subdivision; these absolute values are related to the average value of a residential dwelling (table 9.2) and the Gross National Income (GNI, table 9.3).

	Transfer	Mortgage	Subdivision	Total
Cyprus	13,800	2,000	240	16,040
The Netherlands	6,519	608	420	7,547
Lithuania	780	652	606	2,038
Bosnia and Herzegovina (Real Estate Registration Project)	400	510	250	1,160
Kyrgyzstan	14	64	47	125

Table 9.1 Total mandatory costs (€) for all processes combined

	Total	Value	Percentage
Cyprus	16,040	200,000 ¹⁶	8.0%
Bosnia and Herzegovina (Real Estate Registration Project)	1,160	40,000	2.9%
The Netherlands	7,547	292,000	2.6%
Lithuania	2,038	92,000	2.2%
Kyrgyzstan	125	170,000	0.1%

Table 9.2 Total mandatory costs as percentage of average value (€)

	Total	GNI	Percentage
Cyprus	16,040	31,216	51.4%
The Netherlands	7,547	50,912	14.8%
Bosnia and Herzegovina (Real Estate Registration Project)	1,160	12,133	9.6%
Lithuania	2,038	28,131	7.2%
Kyrgyzstan	125	3,354	3.7%

Table 9.3 Total mandatory costs as percentage of Gross National Income¹⁷ (€)

99. Tables 9.1 through 9.3 show large ranges of costs, both in absolute terms as relative to value or GNI. Relative costs to value can be considered reasonable and affordable, while relative to GNI affordability seems to be compromised for Cyprus and The Netherlands. This would require further studies, both across countries and in depth within each country.
100. With regard to policies, fees are usually based on cost-recovery principles, while cost reduction is continuously pursued through the simplification and digitalization of land administration processes.

Recommendations

101. A general recommendation would be to ensure that cost systems are simple and transparent. This report shows that in many cases, the costs are not very simple or transparent, due to local circumstances and procedures involving a variety of professional parties and a complex cost structure, even to the extent that respondents cannot indicate costs charged by professional parties other than themselves. Additional research would be needed to collect information on costs charged by other professional parties. Other organizations, such as housing owner associations, might also contribute to providing an overview of costs for individuals covering the entirety of the processes of transfer of a dwelling, establishing a mortgage and subdivision.
102. While this study delivered plenty of valuable information, studies like this can still be improved regarding the used terminology and its structure. It is recommended that Working Party aims to collect this kind of information in a more structured manner, for example through the use of standardized questionnaires or templates, which will make it easier for countries/states to respond and for their responses to be compared with those given in the past.

¹⁶ Default value

¹⁷ Taken from data.worldbank.org, original figures in US\$, converted with 1 US\$ = 0.887 €

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Appendices

- A. Map ECE (excluding areas overseas)
- B. List of terms used in the questionnaire
- C. Questionnaire

Appendix A

Map ECE (excluding areas overseas)



Appendix B

List of terms used in the questionnaire

Architect	A professional who plans, designs, and reviews the construction of buildings .
Bank/financial institution/mortgage	Organization that lends money secured by a mortgage on real estate.
Cadaster agency	The institute with the responsibility for the surveys and boundary mapping and includes registration of land parcels. In some countries, it includes the registration or essential data from the deed or title document.
Cadastral/administrative value	Value of property as registered within the land registry/cadaster.
Cadastral map	A map with a scale that is suitable to support land administration requirements for recording parcel boundaries. Such maps would have underlying topographic details of relevant physical features and be linked to the national geodetic framework.
Cadastral survey	Relates to statutory land survey conducted by or directed by authorities in connection with the sale and purchase of a property.
Cadastral surveyor (commercial)	A land surveyor who performs cadastral surveys employed by a commercial organization or as independent expert.
Cadastral surveyor (governmental)	A land surveyor who performs cadastral surveys as an employee of any governmental organization.
Registrant ¹⁸	A private person who (anticipates to) has (have) rights in a residential dwelling or unbuilt land.
Deeds register	A land administration system whereby all-important instruments which relate to the rights to parcels of land are registered on a government-maintained register.
Fee	Amount payable by registrants or professional parties for land administration services.

¹⁸ In the original questionnaire, the term 'citizen' was used; when compiling the report, the term 'registrant' was considered more appropriate.

Jurisdiction	The area within which an organization has responsibility for land administration services. This may be a region/federal state or an entire nation.
Land administration agency	All agencies/persons of a nation or on behalf of the nation (including but not exclusively the land registry) that are typically required to provide information, certification, permission, surveying or registration services in relation to a purchase/sale of property.
Land registry	The institute with the responsibility for the registration/recording of title, ownership, mortgages/hypothecs. In some countries it includes recording of the land survey and boundary mapping on a cadastral (index) map.
Licensed conveyancer	A specialist lawyer who specializes in the legal aspects of buying and selling real property , or conveyancing .
Local Government	Government on local level (municipality, city, district).
Market value	Value of a property in free economic trade.
Mortgage/hypothec	A debt instrument that is secured by the collateral specified real estate property.
Mortgage brokers	A professional who acts as an intermediary who brokers mortgage loans on behalf of individuals or businesses.
Mortgage value	The value of the debt, linked to the mortgage.
Mortgagor	The borrower, owing the obligation secured by the mortgage.
National court	Court on national/federal level.
National Government	Government on national level.
Notary public	An agent of private civil law who draft, take, and record instruments for private parties and are vested as public officers with the authentication powers of the State.
Ownership	The ownership of a single title. A single ownership may comprise a number of owners or a number of parcels or both.
Parcel	A single area of land or more particularly a volume of space, under homogenous real property rights and unique ownership.

Property valuator	A professional who develops an opinion of value, for real property .
Real estate agent/realtor	A professional who acts as an intermediary between sellers and buyers of real estate and real property .
Regional court	A court on regional level (province, district, city, municipality).
Regional government	Government on regional level (federal state, province).
Registrar (commercial)	A professional, employed by a commercial organization or as an independent expert, whose job is to keep record of the titles to land.
Registrar (governmental)	A professional, as an employee of any governmental organization, whose job is to keep record of the titles to land.
Solicitor	A legal practitioner who traditionally deals with most of the legal matters and who can convey a deed or contract to the land registry.
Title	Means the legal title to land. Land also includes a volume of space. A single title relates to the ownership of a particular property. A single title may be composed of one or more ownerships and may be formed by one or more parcels.
Title register	A title register includes the registers of land, ownership and interests against land. Relates to the legal title which may, but does not necessarily, include the map.
Transaction	All actions of the processing and registrations effecting a change in the register in the land registry/cadaster agency in respect of a single application such as a transfer of ownership and recording of any associated rights contained in the transfer deed. Each transaction such as a transfer of ownership, or a mortgage/hypothec, or a cancellation of a mortgage/hypothec should count as a single transaction, irrespective of the number of actual registration changes required.
Town planner	A professional who practices in the field of urban planning .
Transfer of property	The act by which a living person conveys immovable property in present or in future, to one or more other living persons.
Transfer value	The agreed value to transfer the ownership of real property.

Appendix C. Questionnaire

General

1. Contact details of the person responsible for completing the survey

Contact person:
Name of organization:
Ministry responsible (when applicable):
Address:
City/Town:
State/Province:
Country:
Email address:
Phone number:

2. What is the average market value an average single residential dwelling in your country? This value will be the reference value throughout the questionnaire. Please take the land and the yard belonging to the dwelling (owned by the same owner) into account. Apartments are not considered in this questionnaire.

NB. In case the average is difficult to determine, please use €200.000 as the average value.

Costs related to the transfer of an average single residential dwelling

This section refers to costs and expenses related to the transfer of an average single residential dwelling between two registrants or families in your area of jurisdiction.

Basic assumptions for answering the questions:

- An average single residential dwelling in terms of market value in your country (see question 2).
- All prices in €and including VAT.

Legal/technical services (collecting preliminary documents, contract and deed drafting, signing contracts and deeds)

Please note that the following cost items will be discussed in the next parts of the questionnaire:

- Registration services like registering the contracts/deeds, registration of titles and deeds.
- Taxation like taxes related to the transaction, like transfer tax, stamp duties, etc.

3. Which professional parties play a role in this process step?

- 1. Cadastral surveyor (governmental)
- 2. Cadastral surveyor (commercial)
- 3. Notary public
- 4. Solicitor
- 5. Licensed conveyancer
- 6. Estate agent/realtor
- 7. Property valuator
- 8. Mortgage broker
- 9. Banks/financial institution
- 10. Town planner
- 11. Architect
- 12. Municipality/local government
- 13. Registrar (governmental)
- 14. Registrar (commercial)
- 15. Local government
- 16. Regional government
- 17. National government
- 18. Regional court
- 19. National court
- 20. Other, please

[multiple choices possible]

specify:

4. Please indicate for each professional party whether their role within this process step is

- a. voluntary or
- b. obligatory.

Example:

- 6 a
- 4 b

5. What is the average amount of fees to be paid by the seller (in €) for each professional party involved?

Example:

6: 2000

6. What is the average amount of fees to be paid by the buyer (in €) for each professional party involved?

Example:

4: 600

6: 2,000

7. What is the type of fee base applied by each professional party (using the list below)?

- a. Flat fee
 - b. Based on size/volume of property
 - c. Based on market value
 - d. Based on transfer value
 - e. Based on administrative/cadastral value
 - f. Based on mortgage value
 - g. Based on land use
 - h. Graduated calculation applied (classes)
 - i. Based on working hours spent
 - j. Depending on procedure applied
 - k. Negotiable
 - l. Other, please specify:
- [multiple choices possible]

8. With a reference to the list above, how the fees are calculated?

Example:

6: d: normally between 1 per cent and 2 per cent of the transfer value

3: c, h: according to tariff table, 600 for values between 150,000-250,000

9. Do you have any remarks on the costs related to legal/technical services in case of a transfer?

Costs related to the transfer of an average single residential dwelling

Registration services (collecting preliminary documents, registering the contracts/deeds, confirmation of the transaction, registration of title and deeds)

Please note that the following cost items will be discussed in the next parts of the questionnaire:

- Taxation like taxes related to the transaction, like transfer tax, stamp duties, etc.

10. Which professional parties play a role in this process step?

- 1. Cadastral surveyor (governmental)
- 2. Cadastral surveyor (commercial)
- 3. Notary public
- 4. Solicitor
- 5. Licensed conveyancer
- 6. Estate agent/realtor
- 7. Property valuator
- 8. Mortgage broker
- 9. Banks/financial institution
- 10. Town planner
- 11. Architect
- 12. Municipality/local government
- 13. Registrar (governmental)
- 14. Registrar (commercial)
- 15. Local government
- 16. Regional government
- 17. National government
- 18. Regional court
- 19. National court
- 20. Other, please specify:
[multiple choices possible]

11. Please indicate for each professional party whether their role within this process step is
a. voluntary or
b. obligatory.

12. What is the average amount of fees to be paid by the seller (in €) for each professional party?

13. What is the average amount of fees to be paid by the buyer (in €) for each professional party?

14. What is the type of fee base applied by each professional party (using the list below)?

- a. Flat fee
- b. Based on size/volume of property
- c. Based on market value
- d. Based on transfer value
- e. Based on administrative/cadastral value
- f. Based on mortgage value
- g. Based on land use
- h. Graduated calculation applied (classes)
- i. Based on working hours spent
- j. Depending on procedure applied
- k. Negotiable
- l. Other, please specify:
[multiple choices possible]

15. With a reference to the list above, how the fees are calculated?

16. Do you have any remarks/comments on the costs related to the process step of registration services in case of a transfer?

Costs related to the transfer of an average single residential dwelling

Taxation (taxes related to the transaction, like transfer tax)

17. What is the tax that is payable for a transfer of the ownership of an average priced dwelling?

18. What is the name of this tax?

19. Which tax office is it payable at?

- National/federal level
- Local level
- Other, please specify:

20. What is the amount of taxes to be paid by the seller (in €)?

21. What is the amount of taxes to be paid by the buyer (in €)?

22. How are the taxes calculated?

23. Please describe in which situations tax is exempted.

24. Do you have any remarks on the costs related to taxation in case of a transfer?

Costs related to the establishment of a mortgage

This section refers to costs and expenses related to get a mortgage loan on the dwelling provided by a bank or other financial institution in your area of jurisdiction.

Basic assumptions for answering the questions:

- An average single residential dwelling in terms of market value in your country.
- All prices in €and including VAT.
- Please take establishing a mortgage as a standalone use case (without transfer of ownership).

Legal/technical services (collecting preliminary documents, contract and deed drafting, signing contracts and deeds, property valuation)

Please note that the following cost items will be discussed in the next parts of the questionnaire:

- Registration services (registering mortgages).
- Taxation like taxes related to the establishment of a mortgage.

25. Which professional parties play a role in this process step?

1. Cadastral surveyor (governmental)
 2. Cadastral surveyor (commercial)
 3. Notary public
 4. Solicitor
 5. Licensed conveyancer
 6. Estate agent/realtor
 7. Property valuator
 8. Mortgage broker
 9. Banks/financial institution
 10. Town planner
 11. Architect
 12. Municipality/local government
 13. Registrar (governmental)
 14. Registrar (commercial)
 15. Local government
 16. Regional government
 17. National government
 18. Regional court
 19. National court
 20. Other, please specify:
- [multiple choices possible]

26. Please indicate for each professional party whether their role within this process step is

- a. voluntary or
- b. obligatory.

27. What is the average amount of fees to be paid by the mortgagor (in €) for each professional party?

28. What is the average amount of fees to be paid by the mortgagee (in €) for each professional party?

29. What is the type of fee base applied by each professional party (using the list below)?

- a. Flat fee
- b. Based on size/volume of property
- c. Based on market value
- d. Based on transfer value
- e. Based on administrative/cadastral value
- f. Based on mortgage value
- g. Based on land use
- h. Graduated calculation applied (classes)
- i. Based on working hours spent
- j. Depending on procedure applied
- k. Negotiable
- l. Other, please specify:
[multiple choices possible]

30. With a reference to the list above, how the fees are calculated?

31. Do you have any remarks/comments on the costs related to the process step of legal/technical services in case of the establishment of a mortgage?

Costs related to the establishment of a mortgage

Registration services (registering mortgages)

Please note that the following cost items will be discussed in the next parts of the questionnaire:
Taxation like taxes related to the establishment of a mortgage.

32. Which professional parties play a role in this process step?

- 1. Cadastral surveyor (governmental)
 - 2. Cadastral surveyor (commercial)
 - 3. Notary public
 - 4. Solicitor
 - 5. Licensed conveyancer
 - 6. Estate agent/realtor
 - 7. Property valuator
 - 8. Mortgage broker
 - 9. Banks/financial institution
 - 10. Town planner
 - 11. Architect
 - 12. Municipality/local government
 - 13. Registrar (governmental)
 - 14. Registrar (commercial)
 - 15. Local government
 - 16. Regional government
 - 17. National government
 - 18. Regional court
 - 19. National court
 - 20. Other, please specify:
- [multiple choices possible]

33. Please indicate for each professional party whether their role within this process step is

- 1. voluntary or
- 2. obligatory.

34. What is the average amount of fees to be paid by the mortgagor (in €) for each professional party?

35. What is the average amount of fees to be paid by the mortgagee (in €) for each professional party?

36. What is the type of fee base applied by each professional party (using the list below)?

- a. Flat fee
 - b. Based on size/volume of property
 - c. Based on market value
 - d. Based on transfer value
 - e. Based on administrative/cadastral value
 - f. Based on mortgage value
 - g. Based on land use
 - h. Graduated calculation applied (classes)
 - i. Based on working hours spent
 - j. Depending on procedure applied
 - k. Negotiable
 - l. Other, please specify:
- [multiple choices possible]

37. With a reference to the list above, how the fees are calculated?

38. Do you have any remarks/comments on the costs related to the process step of registration services in case of the establishment of a mortgage?

Costs related to the establishment of a mortgage

Taxation (taxes related to the establishment of the mortgage)

39. What is the amount of tax that is payable for the establishment of a mortgage on an average single residential dwelling?

40. The tax is based on:
- Mortgage value
 - Transfer value
 - Market value
 - Administrative/cadastral value
 - Other, please specify:
[multiple choices possible]

41. Please explain how the tax is calculated, for example through a fixed per cent of the indicated value.

42. Please describe in which situations tax is exempted.

43. Do you have any remarks/comments on the costs related to the process step of taxation in case of the establishment of a mortgage?

Costs related to the subdivision of an average residential land parcel

This section refers to costs and expenses related to the subdivision of an average residential land parcel in your area of jurisdiction.

Basic assumptions for answering the questions:

- Please use 500 m² as the average size of an unbuilt parcel in a residential area in your area of jurisdiction which has to be subdivided in two equal parts.
- All prices in €and including VAT.
- Please take the subdivision as a standalone use case (without taking the fees for an eventual subsequent transfer into account).

Cadastral services (surveying parcels, updating cadastral maps and registers)

44. Which professional parties play a role in this process step?

1. Cadastral surveyor (governmental)
2. Cadastral surveyor (commercial)
3. Notary public
4. Solicitor
5. Licensed conveyancer
6. Estate agent/realtor
7. Property valuator
8. Mortgage broker
9. Banks/financial institution
10. Town planner
11. Architect
12. Municipality/local government
13. Registrar (governmental)
14. Registrar (commercial)
15. Local government
16. Regional government
17. National government
18. Regional court
19. National court
20. Other, please specify:
[multiple choices possible]

45. Please indicate for each professional party whether their role within this process step is
- a. voluntary or
 - b. obligatory.

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46. What is the average amount of fees to be paid by the owner/seller (in €) for each professional party?

47. What is the average amount of fees to be paid by the buyer, if applicable, (in €) for each professional party?

48. What is the type of fee base applied by each professional party (using the list below)?

- a. Flat fee
 - b. Based on size/volume of property
 - c. Based on market value
 - d. Based on transfer value
 - e. Based on administrative/cadastral value
 - f. Based on mortgage value
 - g. Based on land use
 - h. Graduated calculation applied (classes)
 - i. Based on working hours spent
 - j. Depending on procedure applied
 - k. Negotiable
 - l. Other, please specify:
- [multiple choices possible]

49. With a reference to the list above, how the fees are calculated?

50. Do you have any remarks on the costs related to of cadastral services in case of a subdivision?

Costs related to inspection of the registers

This section refers to the fees to be paid by registrants to inspect the land registry and/or cadastre. The fees relate to one query on one real estate object, which is not owned by the registrant who inquires.

51. Register inspection: What is the fee for the inspection of a title or deed register?

52. Map/cadastre inspection: What is the additional fee (if any) for the inspection of a map/cadastre?

53. Certified extract of a register/map: What is the fee for a certified copy of a title or deed register and the associated map/cadastre?

54. Do you have any remarks on the costs related to the inspection of the registers?

General questions

55. Are there any fees or expenses related to the transfer or mortgaging of an average single residential dwelling, or subdivision of a parcel that are not covered by the questions in this questionnaire? If yes, could you please explain?

56. Can you briefly describe the policies behind or the arguments leading to the chosen methods of the calculation of the fees for land and cadastral registration services? Think of cost recovery, stimulation of land market, fair distribution of fees and taxes, etc.

57. Can you briefly describe whether you foresee any changes in the way fees are calculated or amounts registrants have to pay for land administration services in the near future in your area of jurisdiction?

58. Do you have any comments/remarks regarding this questionnaire?

**Press 'Done' when you have finished the questionnaire.
After pressing 'Done' you will not be able to access the questionnaire anymore.**

Thank you very much for your time!

Survey on costs for registration and transfer of real estate and mortgages for the ECE region

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