

# French Legal Terms – a Glossary

## A

- acompte** - sum paid in advance (usually 10% of the purchase price)
- acte authentique** – formal legal document drawn up usually by a notaire
- acte de vente** - a conveyance or transfer of land
- agence immobilière** - estate agency
- arrhes** - sum paid in advance by the purchaser, forfeited if purchaser withdraws or double the amount refunded if the vendor withdraws
- attestation d'acquisition** - a certificate from the notaire that the property purchase has been completed

## B

- bail** - lease to tenant
- banque de consignation** - the bank where the notaire places the deposits, with no interest accruing to either party or the notaire

## C

- cadastre** - local town planning register recording details of land-holdings
- carte professionnelle** - granted by the Préfecture to estate agents to carry out business
- certificat d'urbanisme** - zoning certificate (equivalent to a local authority search)
- charges** - maintenance charges on a property (e.g. water, electricity)
- clause pénale** - penalty clause governing performance of an agreement
- compensable** - the clearing of a cheque
- compromis de vente** - contract for sale and purchase of land or property
- compte à terme** - deposit account
- compte courant** - current account
- condition suspensive** - conditional terms stated in the pre-sale agreement (e.g. the acquiring of a loan, the gaining of a positive zoning certificate)
- conservation des hypothèques** - mortgage/land registry
- constructible** - land which is designated for building under local planning scheme
- copropriété** - co-ownership

## D

- droit de préemption** - pre-emptive right to acquire the property instead of purchaser
- droit de succession/donation** - inheritance/gift tax

## E

**EDF/GDF** - The state utilities: Electricité de France, Gaz de France

**emoulements** - the scale of charges of the notaire

**enregistrement (droits d')** - registration of the title of ownership (following of which are the payment of transfer duties)

**etats des lieux** - schedule of condition or schedule of delapidations depending on whether it applies to the beginning or end of a lease

**expédition** - the certified copy of a notarial document showing the date of its registration and the registration duty paid

**expert comptable** - chartered accountant

**expert foncier** - professional to check on the state and value of the property (usually an architect)

**expertiser** - to value a property

## F

**FNAIM** - Federation Nationale des Agents Immobilier - national association of estate agents, providing a compensation fund for defaulting agents

**fonds de roulement** - capital supplied by all flat-owners, in an apartment block, on top of service charges to meet unexpected liabilities

**frais de notaire** - total sum of money to be paid to the notaire on top of the sale price (includes, notaire fee, registration duty, land registration duty and other charges)

## G

**géomètre** - surveyor appointed by the notaire to certify the dimensions of the property according to the cadastre

## H

**HT - hors taxe** - not including sales tax

**hussier (de justice)** - has many official duties, including baliff and process server; is used to record evidence (for example on the state of property) where legal proceedings are considered

**hypothèque** - mortgage - where the property is used as security for the loan

## I

**immobilière** - real estate agent

**indivision** - joint-ownership

## J

**jouissance** - right of possession which must occur simultaneously with the transfer of ownership

## K

## L

**location** - renting (tenancy)

**loi scrivener** - the law protecting borrowers from French lenders and sellers on French property purchases in all cases other than a purchase on plan

**lots** - land registry plots applied in apartment blocks or on housing estates

**"lu et approuvé", "bon pour achat"** - - phrases written accompanying signature of contract ("read and approved", "good for acquisition")

## M

**mairie** - town hall

**mandat de recherche** - private agreement giving power to estate agent to look for property

**marchand de biens** - real estate dealer

**monuments historiques** - listed buildings

## N

**nue-propriété** - reversionary interest where the purchaser has no occupational rights over the property until the death or prior surrender of the life tenant

## O

**occupation** - occupant of the premises (either tenant or occupant without good title)

**offre d'achat/de vente** - an offer to buy or sell property (usually at a lower price than is published) which is not itself a binding contract

## P

**paiement comptant** - cash payment

**parties communes** - common parts of buildings

**parties privatives** - parts of the building restricted to the private use of the owner

**permis de construire** - planning permission

**plan de financement** - financing scheme

**plus-value** - capital gain realised on the sale of the property

**prélèvement** - direct debit

## Q

## R

rejeter - to bounce a cheque

réservation - the deposit paid in a contract de réservation

réservation, contract de - type of contract for the purchase of property état de achèvement futur

résiliation - cancellation of a contract

## S

SAFER - local government organisation supposed to ensure the proper use of agricultural land, sometimes they will hold pre-emptive rights to buy land

securité social - French national health system

société - legally registered company

## T

TTC - toutes taxes comprise - including sales tax

TVA - taxe sur la valeur ajoutée - value added tax

tantième - proportion of of the common parts of a copropriété owned jointly with other apartment owners

taxe d'habitation - rate levied on the occupation of property

taxe foncière - local tax on the ownership of property

testament - a will

timbres fiscal - some official documents (e.g. applications for the carte de séjour) carry a revenue stamp

tontine - joint ownership

troisième age - senior citizens (old age pensioners)

## U

## V

**W**

**X**

**Y**

**Z**