

## Selling your car

I tell you Graham, I can't bear to contact the bloke. After all the help and running around I did for him I can't believe that he would treat me in this way, the bas...d

Graham, can you help me please? I bought a Spanish car off a person who I thought was a friend only to find out that he had never registered the car in his name and now he is refusing to help me get the right papers

"Thank you for your enquiry but I notice that although your car is registered in the UK, it was previously registered here in Spain". "Yes Graham, but the previous owner won't have anything to do with me even though the car is also still registered to him Spain as he did not declare it exported"

"I have sold my car to another Brit, but it is still registered to me and he won't respond to emails or answer my calls, it's driving me nuts, can you help?"

### Transfers as a business transaction

Over the years, it has never failed to amaze me how similar cases can come along at the same time and all of the above are within the last month or so. In one case a car was sold in good faith to a friend who never registered it in his name and in another the buyer re-sold the car even though he was not the registered keeper. When I complete a job, the client is given a letter which explains the mysteries of the Spanish paperwork and provides information. One piece of advice is never to allow a buyer to transfer a vehicle into his or her name as it may never happen, but to use a specialist or gestor instead. Despite this, past clients have ignored the advice as they sold the car to a mate and now need help resolving the lack of transfer of ownership

Maybe this happens in the UK too, but at least there it is free to change ownership and the seller can always advise DVLA if there is a problem. Here, there are fees and taxes involved and I suspect that this is why so many transfers of ownership do not take place. Selling a vehicle to a friend or stranger is a business transaction and should be dealt with in this way. Often people we view as friends are merely acquaintances who we have a seemingly good relationship with, but money is powerful and can turn heads awry.

### Value and documents

When selling, establish the correct value from the Hacienda (tax office) tables as these are normally lower than actual value and so you can reduce the tax liability; decide on the selling price and include the cost of transfer. Many people ask who pays the transfer costs, and whilst it is the buyer's responsibility, in reality they should be shared. This means that the costs should form part of the bargaining when selling the vehicle

Several documents are needed. In addition to the registration document and ITV card (ficha tecnica) copies of the passport and NIE certificate of both seller and buyer are needed as well as other legal documents which a specialist will have

As a reminder, if you take your Spanish registered vehicle back to the UK or any other country it needs to be de-registered in Spain or you will continue to accumulate road tax. We would think that DVLA would advise Trafico that a Spanish vehicle now has UK registration, but this does not happen

Whilst I am still riding my high horse, here is a tactic that forces the hand of recalcitrant buyers. If the car is still registered to you and the buyer is not cooperating you can apply for the car to be Baja (SORN) so the next time the car is pinged by the police it is impounded as it should not be on the road. Yeah I know, sneaky

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