



Sioufas & Associates
Law Firm



THE LEGAL PROOF OF REAL ESTATE OWNERSHIP UNDER GREEK LAW

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The acquisition of ownership of a real estate property is **exclusively constituted and under penalty of nullity by a notarial deed, which is required to be registered at the land registry or cadastral office in accordance with the local competence of the property.**

The **principle of priority** in time applies to the acquisition of ownership, i.e. the earliest of the several transcriptions takes precedence. Consequently, if a property is transferred by different deeds several times, ownership is acquired by whoever transfers the title first, irrespective of the date of the deed.

The Civil Code has established the **principle of publicity**, according to which, the registers of transfers, mortgages and, in general, the public registers of the land registry and the cadastral office are available to anyone who wishes to obtain copies of the deeds to be transferred.

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However, only lawyers, bailiffs and notaries are entitled to carry out checks at the land registries or cadastral offices. The check at the cadastral offices may also be carried out electronically, by searching the database.

Therefore, in order to search and prove the ownership of a property by an individual or a legal entity, a search must be carried out at the competent land registry / cadastral office and in particular: a) at the land registries, search in the general indexes and afterwards in the share books and b) at the cadastral offices, search in the cadastral sheets.

By way of exception, ownership of real estate may be acquired as a result of adverse possession, whether ordinary or extraordinary. In order to acquire ownership by regular adverse possession, the person claiming it must prove a) his possession of the property as reputed owner, b) his good faith, c) the existence, or in his belief, of a legal title, d) the elapse of 10 years at a minimum, e) that the property can be an object of adverse possession. For the acquisition of ownership by extraordinary adverse possession, the person claiming it must prove respectively (a) his possession of the property as reputed owner, (b) the elapse of 20 years at a minimum and (c) that the property can be an object of adverse possession.

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