

## How to Buy Property in Krakow Legally and Safely

### A Complete Guide for Foreign Investors

Thinking about investing in Krakow real estate? Poland welcomes foreign investors – but make one legal mistake, and your dream apartment could turn into a legal nightmare.

Here`s a simple, step-by-step guide to buying property in Krakow safely and efficiently.

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## 1. Can Foreigners Buy Property in Poland?

Yes – and in most cases, it`s surprisingly simple.

Foreigners from the **EU, EEA, or Switzerland** can buy apartments and commercial spaces in Poland without any permits.

If you`re from **outside the EU**, you can still buy residential property (like a flat in Krakow), but buying land may require a special permit from the Ministry of Interior – unless you do it through a Polish company.

**Pro Tip:** Flats in apartment buildings usually **do not require a permit** – even for non-EU buyers.

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## 2. The Legal Steps - How the Process Works

Here`s a simplified version of what your purchase process will look like:

### Step 1: Find the Right Property

Work with a local agent who speaks English (or your language) and knows how to work with foreign buyers.  
Ask about:

- Legal status of the property
- Ownership history
- Potential risks (shared ownership, debts, etc.)

## Step 2: Sign a Reservation or Preliminary Agreement

You pay a small deposit (e.g. 1-2%) to take the property off the market while legal checks are done.

## Step 3: Legal Due Diligence

A good agent or lawyer checks:

- Land and Mortgage Register (Księga Wieczysta)
- Zoning plans (for land)
- Any debts, court cases, inheritance issues
- Legal status of the building or development

## Step 4: Final Purchase at the Notary

- A public notary (required by Polish law) drafts the sale agreement.
- You pay the remaining price.
- You receive a notarized copy and apply for ownership registration.

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## 3. Can I Buy Remotely Without Coming to Poland?

Yes – you can buy fully remotely **with a power of attorney** (POA).

A lawyer or trusted agent in Poland can act on your behalf in front of the notary.

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## 4. What Are the Costs and Taxes?

Cost Type	Approx. Amount
Property Price	As negotiated
Notary Fee	0.5–1% of property price (regulated max)
PCC (Tax) – resale	2% of property price
VAT – new property	8% or 23% (included in price)
Agent Fee (if buyer pays)	1–3% (depends on deal)
Land Registry Fee	~200–300 PLN

**No income tax if you're only buying, not selling (yet).**

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### VAT (Value-Added Tax) in Real Estate – 8% or 23%? It depends.

In Poland, VAT applies **only to new properties** sold by a developer or a company. But the **rate** depends on the type and size of the property:

### When is VAT 8%?

- Applies to **residential units (apartments or houses)**
- Total area is **up to 150 m<sup>2</sup>** for apartments or **300 m<sup>2</sup>** for houses
- The property is bought **directly from a developer or a business**
- The building has a **residential function**

### When is VAT 23%?

- Applies to:
  - Any **residential unit exceeding 150 m<sup>2</sup>**
  - **Commercial properties** (offices, retail, etc.)
  - **Land plots** (in most cases, unless exempt)
  - Some **renovated properties** treated as new in VAT terms

**Important:** VAT is usually **included in the price** shown by the developer. But it's always good to confirm.

### Example:

You buy a brand new 60 m<sup>2</sup> apartment from a developer – the price includes **8% VAT**.

You buy a 170 m<sup>2</sup> penthouse – you'll pay **8% VAT for the first 150 m<sup>2</sup>**, and **23% VAT for the remaining 20 m<sup>2</sup>**.

## 5. Biggest Legal Risks to Avoid

- Buying property without checking ownership (yes, it happens!)
- Trusting only the seller's documents
- Not verifying debts or claims in the Land Register
- Buying from a developer without proper guarantees
- Not using a bilingual or international notary

## 6. Is It Safe to Invest in Krakow?

Very. Krakow is one of Poland's most dynamic real estate markets – with stable prices, high rental demand (students, expats, companies), and strong capital appreciation over the last 10 years.

## Conclusion: Buy Smart, Buy Safe

Buying property in Krakow as a foreigner is absolutely possible – and often a great investment. But don't go in blind. Work with a local expert, do your legal checks, and don't cut corners.

### Need help with your first property in Krakow?

Contact *Ekspert Nieruchomości Dariusz Winiarski* – we help foreign investors navigate the Polish market safely and profitably.

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