

### **Sellers and Lessors shall indicate the real property' energetic rating even in the advertisement**

**Among the legal amendments taking effect as of the commencement of this year, there are some changes that may affect the parties in the course of real property sale and lease. According to the expert of Kovács Réti Szegheő Attorneys at Law, of the legal amendments, significant ones are that the sellers and lessors shall mention even in the advertisement the energetic quality rating of the real property if it is available, while the announcement of change of address has simplified; some favourable changes for business companies have also taken effect.**

When concluding a sale and purchase agreement, pursuant to the amendment to the government decree on the certification of the building's energetic qualities, parties shall not only provide that the real property (or a distinct facility unit) representing the subject matter of the purchase and sale contract falls under the scope of the decree and that it has been conveyed to the buyer – in the event of lease in return for consideration, the lease contract shall also include such provisions – but the contract shall also include the identification code of the certificate.

As the expert of Kovács Réti Szegheő Attorneys at Law pointed out, the amendment also affects those offering their real property for sale or lease as, if the real property has a certificate, even the advertisement shall include the energetic quality rating of the real property.

An important innovation is that the certificate shall include further proposals on the building's cost-optimised level of energy efficiency or the improvement of its cost-efficiency except when there is no reasonable possibility to this end.

### **Amendment in respect of change of address**

Previously there have been numerous problems caused by buyers' failure to announce the change of their address to the land registry so they were not notified on the commencement of proceedings affecting their real property – emphasised dr. Mónika Kapetz. The amendment of the Act on Land Registry has simplified the announcement of change of address: the entitled person may file the request for registration concurrently with the request for registering change of address.

The Land Registry shall after the elapse of 30 days upon the serving of the decision on registration, within 30 days transfer the change in the land registry. The Land Registry, in the event of data usage involving address shall compare its address data with those of the address registering authority. Should there be discrepancy between the data, it shall use the data of the address register and ad officio transfers the changes to the land registry.

### **Changes affecting business organisations**

A favourable change impacting the business organisations is that in case a company registered in the company registry should fail to file the certificate of incorporation and does not reference unchanged data either, along with its request for registration that includes its name and company



registration number, the land registry shall obtain it electronically from the company registration.

The expert of Kovács Réti Szegheő Attorneys at Law emphasised that the procedure is similar in case a specimen signature or a signature sample countersigned by an attorney at law is submitted to the company registry and this fact is included in the register: the land registry shall obtain this instrument from the company registrar by direct electronic query provided that the company has not filed it and did not reference unchanged data either.

In the future, these legal changes will support clients' position in the proceedings before the authorities, while the purpose of the amendments regarding the energetic certificate is that people consider and take into account the aspects of environmental protection and efficient use of energy at the purchase of real property, dr. Mónika Kapetz summarised.