



ENGEL & VÖLKERS®

Rent increase – rent reduction

Unlike in many European countries, in standard contracts Spanish rental law provides solely for the rent to increase annually by the inflation rate (IPC). This is published every year by the national statistical institute and is easy to research on the Internet. The rent increase requires a written notification on the part of the lessor.

A very big difference exists with regard to the topic of rent reduction. The rent may only be reduced if part of the rental object is no longer usable. The rent may then only be reduced by the percentaged surface area – but not until after the 21st day and only after prior written notification. Should the lessee still reduce the rent he puts himself at risk of a termination of the lease contract without notice, as by reducing the rent he is committing a wanton infringement of an obligation in the contractual agreement. Should a defect prevail and the lessor does not eliminate such defect despite written request, the lessee must request a separate process to eliminate the defect. Legal assistance is important here and is to be recommended.

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