

Independent information on the property issue in the occupied north of Cyprus

National Association of Estate Agents (NAEA) warning over northern Cyprus

22 Nov 2005

When it comes to buying property in northern Cyprus, look before you leap, warns the National Association of National Estate Agents...

The NAEA is advising prospective buyers in northern Cyprus to make sure they check up on the ownership of the land before committing to a purchase, or they could risk being caught up in a legal battle.

Although northern Cyprus is under Turkish occupation, if someone wants to buy property which originally belonged to Greek Cypriots they could find themselves embroiled in a legal and financial quagmire if it turns out they are violating the rights of the former Greek owners.

NAEA speaker, Pauline Gallagher, who is also director of independent UK property company, Halcyon Properties, is aware of this issue, having spent time in the country.

She explains: "Having worked in Cyprus for more than twelve years, I have become increasingly concerned at the number of UK companies now wanting to sell property in the Turkish occupied zone.

"Most of the developed land is still owned by Greek Cypriots, according to the courts, and this means Greek people still have the legal right to it and are entitled to take legal measures should anyone take advantage of their property."

Cautionary Tales

This problem has already been encountered in the courts, both in the Republic of Cyprus and in the European Court of Human Rights.

Pauline continues: "So far one case has been adjudicated with the European Court of Human Rights finding in favour of the Greek Cypriot owner. On a second case filed, the court after due examination decided in its admissibility.

"One British couple who bought property in occupied Cyprus were recently ordered by the Nicosia Court to pay compensation, demolish their home and return it to its rightful owner. This is a situation which should never have arisen."

Ian Tonge, Chairman of the NAEA International Committee, concurs: "Any company or agent planning to sell or currently selling in northern Cyprus should ask themselves whether they are happy to market such properties, knowing they are exposing their buyers to such potential risks."

Mr Tonge urges buyers who are considering property in northern Cyprus to seek advice from an estate agent who is a member of the NAEA, and therefore bound to work to the International Code of Practice.

BRITISH HIGH COMMISSION Nicosia



Before purchasing property anywhere in Cyprus you are strongly advised to seek independent qualified legal advice, from a source which is independent of the seller.

Property issues are closely linked to the political situation. There are a number of potential practical, financial and legal implications, particularly for those considering buying property in the north - these relate to the non recognition of the "Turkish Republic of Northern Cyprus", the possibility of a future political settlement in Cyprus, and claims to ownership from people displaced in 1974. There is also a risk that purchasers would face legal proceedings in the courts of the Republic of Cyprus, as well as attempts to enforce judgements from the courts of the Republic of Cyprus elsewhere in the EU, including the UK.

theguardian

26 November 2005

Greek tragedy: Last week we reported on a dodgy company that tried to encourage people to invest in the Turkish housing market. This week brought a warning about northern Cyprus. The National Association of Estate Agents says anyone thinking of purchasing property on land originally owned by Greek Cypriots in the Turkish-occupied part of the island could be violating the Greek owners' legal rights, and risks "serious legal and financial consequences". One British couple were ordered to demolish their holiday home, return the land to its rightful owner and pay compensation. The ongoing wrangle over the divided island continues.

Above: Advice from the British High Commission website, 8 December 2005

Left: Article in The Guardian, 26 November 2005

Below: Letter from the British High Commission, 30 December 2003

Far left: Article on the Findaproperty.com website, 22 November 2005



British High Commission
Alexander Pallis Street
P O Box 21978
1587 NICOSIA

30 December 2003

Thank you for your letter of 19 December 2003 to Mr Parker.

It is not possible to buy British Government-owned property in northern Cyprus. If, however, you wish to buy property in this area you should seek legal advice and be certain that the person from whom you are purchasing the property is the legal owner with pre-1974 provenance. This is necessary to prevent the possibility of losing your property in the event of a solution to the Cyprus property question.

I have enclosed a list of estate agents and lawyers that you may find useful. Please note the disclaimer at the heading of both lists.

Yours sincerely,

Sue MacLeod (Mrs)
Consular Section