

holidaymakers. So remember to specify that requirement from the start, as not everybody wants to work at the weekend.

When considering where to buy, an area with a high concentration of British expat residents would certainly make it easy to link up with others who are letting and with potential caretakers. There are British-run property management businesses in many such areas. However, you need to balance this with whether such an area would suit you once you stop letting and live there permanently. Your level of French language skills may also influence this decision.

As for location, you should definitely take into account how isolated the property is and how easily caretakers and/or cleaners can reach it. A long distance from towns and villages may mean that it's more costly to get the hired help. Accessibility and local amenities will also be an advantage to your holiday letting business, even if the property is in a rural location.

Once you have found help, be clear on your instructions and expectations. For instance, do you want weekly or monthly checks and a report? It is advisable to have additional checks after exceptional weather like a heavy storm, just to



ensure that nothing untoward has happened. Also think through carefully tasks like pool attendance and grass mowing.

With a positive outlook and flexible attitude, you should enjoy your venture into France and eventual change of lifestyle.

Glynis Shaw

LAYING DOWN THE LAW

Q I have made an offer on our first house in France which has been accepted. I am paying the *notaire* fees, but would it be advisable to use a solicitor as well?
Simon Walker, Maidenhead

A As a solicitor specialising in French law, I am inevitably biased in replying to such a question. I would nevertheless assert that there is a benefit in instructing a specialist solicitor to advise on a French property transaction.

It is clear that the only lawyer who must be involved in the sale and purchase of a property in France is a *notaire* as *notaires* retain a monopoly on the registration of French property transfer deeds at the French Land Registry. However, the *notaire's* duty is not automatically to either the seller or the buyer: his duty is to ensure that the transaction completes correctly and that all of the taxes are paid. It is nearly always the case that there is only one *notaire* involved in a transaction and it follows from this that he or she will remain independent of both seller and buyer. It is not then the *notaire's* duty to consider whether a specific transaction is suitable for either party, and whether there are any other consequences that may arise from the deal, such as inheritance tax and estate planning problems or wealth tax concerns.

One would normally expect, however, that matters such as these would come within the scope of a solicitor's retainer.

Furthermore, it is often the case that an agent will draft the initial purchase contract. This does not cause any problems in itself although it does underline the fact that the *notaire* is often simply not capable of giving legal advice on the terms of a contract if the parties have completed it before the *notaire* has even seen it. ▶

MOVING STORY

Q We have just bought a house in Auvergne and are planning on moving out this autumn. It is a permanent move, so we want to take all our belongings. If we use a removals firm, is the process the same as it would be if we were moving within the UK?

Ben Clucas, Lewes

A The logistics for moving across the Channel are the same as any move within the UK, apart from the requirement to make an inventory of your goods for customs and insurance purposes. Your removal company will do this for you and it should be in English and in French.

The removal company must also have the correct authorisation form which allows travel to other EU states.

To ensure all your goods fit into



the lorry, the correct procedure would be to obtain some surveys. The removal company will send an experienced surveyor round to assess how much you are intending to move and will decide what size vehicle to use accordingly.

Remember, when looking for a removal firm, you should always try to use a member of the British Association of Removers (BAR). Their website is www.bar.co.uk.

Mark Brett