

IMOLA for Deed Systems

The Italian System

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28th January 2016, IMOLA closing conference

**This presentation aims to deepen
how the IMOLA template could
work in the Italian LR system**

- **MAIN CRITICAL ISSUES**
 - **Search system**
 - **Person based**
 - **Requiring more than one access**
 - **Search results**

- **POSSIBLE SOLUTIONS**
 - A specific IMOLA template for deed systems
 - Special warnings and additional information on the meaning of information provided

Problems related to the search system

If I am interested in searching a property in Italy I have to know, at least

1- **The name of the owner.**

If the owner is known in the D.B, the information system will return a list of all existing "formalities" (*Trascrizioni, Iscrizioni, Annotazioni*) registered "in favor" or "against" that person.

. **SS 117329** del **2015**
e: **AGOSTINA** sesso **Femmina**
OS (SS) il **21/07/1957**

Stampa pre-automazione: **no**

17
formalities
listed

Note visualizzate: 17

Ordina per tipo nota

Ordina per data

ZIONE A FAVORE del 17/04/1980 - Registro Particolare 2922 Registro Generale 3557

A VIVI - COMPRAVENDITA

siti in ALGHERO (SS), CODRONGIANOS (SS)

onibile in formato immagine

ZIONE CONTRO del 15/04/1987 - Registro Particolare 3050 Registro Generale 4309

A VIVI - COMPRAVENDITA

onibile in formato immagine

ZIONE CONTRO del 28/04/1993 - Registro Particolare 3636 Registro Generale 5363

ufficiale MANIGA GIOVANNI Repertorio 100404 del 19/04/1993

A VIVI - COMPRAVENDITA

siti in CODRONGIANOS (SS)

onibile in formato immagine

Visualizza Note

Stampa Elenco

Stampa Note

Documenti Correlati

Scarica Titolo

Indietro

A big help, when I'm searching a specific property in order to know if it is free of encumbrances or property rights or mortgages, could be the use of:

2- The cadastral ID of the property

The cadastral ID of the property is:

an alphanumerical code comprising several information fields:

- a. Name of the Municipality**
- b. Map sheet number**
- c. Parcel number**
- d. Sub-parcel number (used exclusively in the case in which more than a urban unit is located in the same building)**

LODDE

Nome

AGOSTINA

SS

Comune

CODRONGIANOS

21 / 07 / 1957

Sesso

Femmina

☒ Ampliata

☐ Per omocodice

ata: lunghezza nome e cognome

Uguale

delle formalità

non rinnovate o cancellate

a di restrizione per dati gli immobili fornirà solo i soggetti le cui formalità contengono immobili

dati degli immobili

SS

Comune

SASSARI

Fabbricati

Sezione censuaria

nitivo

☒ Identificativo provvisorio

Tipo denuncia

Numero

Anno

Foglio

109

2298

14

UFFICIO PROVINCIALE DI SASSARI - TERRITORIO
SERVIZIO DI PUBBLICITA' IMMOBILIARE

FINE GIORNATA	ISPEZIONE	CERTIFICATI	PRE-AUTOMAZIONE	PROTOCOLLO	COMUNICAZIONI
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MANIGA FISICA	PERSONA GIURIDICA	IMMOBILE	NOTA/TITOLO	PUBBLICO UFFICIALE
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Ispezione uso ufficio

Persona fisica
Municipale: SASSARI

Richiesta

Richiesta n. **SS 117329** del **2015**Cognome Nome: **AGOSTINA** sesso **Femmina**Nascita: **FRONZANOS (SS)** il **21/07/1957**

..

Pre-automazione: **no**

Note

Only 1
notation
detected

Note visualizzate: 1 (Selezioni effettuate: 1)

[Ordina per tipo nota](#)[Ordina per data](#)

TRASCRIZIONE A FAVORE del 09/11/2007 - Registro Particolare 12459 Registro Generale 19472
Pubblico ufficiale MANIGA GIOVANNI Repertorio 250274/21044 del 30/10/2007
ATTO TRA VIVI - COMPRAVENDITA
Immobili siti in SASSARI (SS)
Nota disponibile in formato elettronico

[Visualizza Note](#)[Stampa Elenco](#)[Stampa Note](#)[Documenti Correlati](#)[Scarica Titolo](#)[Indietro](#)

SECTION A – IMOLA TEMPLATE

“The connecting factor for a template, and consequently the object of it, should be the Land Register Unit (LR Unit).”

**In the Italian system the LR unit
is identified by the Cadastral ID**

Apart from Cadastral ID and location,
we could add new branches according
to the basic nature of the LR Units

LR Unit—Property

- Nature (building, building site, plot...)
- Land use
- Size (metric system preferably)

SECTION B – IMOLA TEMPLATE

Basic content of the information covered by Section “B” has to fulfil specific conditions and be aimed to:

- a minimum common denominator,
- sufficient data to ensure identification or identity of owner,
- sufficient data to mean the extent of the ownership.

Deep down, it involves being flexible so as to embrace as many systems and practices as possible. Depending on the data available in each LR system, overall the Section “B” should fulfil its goals. So, Section “B” should include the following data categories —at least—:

- Kind of ownership (1)
- Information on proprietors (2) and their entitlement (3)
- Restrictions (4), conditions (5) even deadline (6) which fall on the ownership or the persons of owners
- Price (7)

Sezione C - Soggetti

A favore



Soggetto n. 1 In qualità di ACQUIRENTE

Cognome CHESSA

Nome DOMENICO

Nato il 19/06/1962 a SASSARI (SS)

Sesso M Codice fiscale CHS DNC 62H19 I452 C

Relativamente all'unità negoziale n. 1

Per il diritto di PROPRIETA'

Per la quota di 1/1

In regime di COMUNIONE LEGALE



Contro

Soggetto n. 1 In qualità di VENDITORE

Cognome LODDE

Nome AGOSTINA

Nata il 21/07/1957 a CODRONGIANOS (SS)

Sesso F Codice fiscale LDD GTN 57L61 C818 O

Relativamente all'unità negoziale n. 1

Per il diritto di PROPRIETA'

Per la quota di 8/24

In regime di SEPARAZIONE DI BENI

Soggetto n. 2 In qualità di VENDITORE

Cognome LODDE

Nome MARIA CARMELA

Nata il 23/08/1947 a SASSARI (SS)

Sesso F Codice fiscale LDD MCR 47M63 I452 S

Relativamente all'unità negoziale n. 1

Per il diritto di PROPRIETA'

Per la quota di 8/24

In regime di BENE PERSONALE

Soggetto n. 3 In qualità di VENDITORE

Cognome LODDE

Nome LUIGI AGOSTINO

Nato il 19/04/1980 a SASSARI (SS)

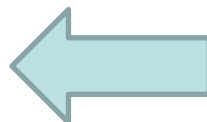
Sesso M Codice fiscale LDD LGS 80D19 I452 D

ne A - Generalità

ativi al titolo



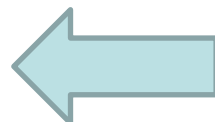
ATTO NOTARILE PUBBLICO
07/12/2012
PORQUEDDU ANDREA
SORSO (SS)



Numero di repertorio 13613/10215
Codice fiscale PRQ NDR 74D28 A192 W

ativi alla convenzione

ATTO TRA VIVI
112 COMPRAVENDITA



astale automatica SI

nti nella sezione D parti libere relative a sezione B e sezione C

4. Restrictions:

In the Italian LR system there are no restrictions on owner's powers to disposal.
One can eventually find them in the deed or in the section D of the notation (free part).

5. Conditions

Information about conditions AFFECTING the ownership :

- Condition antecedent or suspensive

- Condition subsequent or resolutory

is included in the section A of the notation, if present.

A description of it SHOULD BE contained in section D (Free part)

SECTION C – IMOLA TEMPLATE

In a personal folio based system all encumbrances, property rights, liens and so on, are registered, according to the deed, in favor of the person that acquires the right and against the person that “looses” it.

For mortgages and preemption rights (*Privilegi*) there is a specific register, with constitutive value, where mortgages and preemption rights are registered, against the person of the mortgagor/ debtor and in favor of the mortgagee/ creditor.

From the point of view of the content,
the substructure for Section “C” would
be:

1. Mortgages
2. Property rights
3. Judiciary restrictions
4. Other restrictions

1- MORTGAGES

As above said, a specific Register for mortgages and preemption rights is in force in Italy.

2. PROPERTY RIGHTS

The Civil Code gives a long list of the main deeds that can be registered, in addition to the ones transferring property, specifying for different groups the effects of their transcription:

- Some of them have declarative value;
- Others serves as a mere information;
- Others have a constitutive value (foreclosure, conservative seizure).

Moreover, it is necessary to register the **claims** listed in the art. 2652 and 2653 of the Civil Code, including, for example:

- claims to terminate contracts and to revoke donations;
- claims asking for the execution of a preliminary contract;
- claims asking for the judicial verification of the signature in private documents including an agreement subject to registration;
- claims aimed to verifying simulation in documents subject to registration;

.....

The function of this kind of registration is to make a reservation of registration in case of positive judicial decision for the claimer.

Finally, there are the decisions declaring the prescription or the usucapion of some of the rights listed in art. 2643.

In brief, information on mortgages, property rights, judiciary restrictions, claims and other restrictions can be obtained, in the Italian System, by searching the transcriptions or inscriptions «against» a specific subject in relation with a specific object.

In conclusion, we can say that the entire Part C of the template could be fulfilled with the formalities resulting “against” the interested person in relation with the interested property.

Thanks for your kind attention