

Off-Plan Buyer Risk Checklist

Company-authored buyer checklist · Buyer Protection Desk by THE-Ö

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Use this checklist when

You are considering an off-plan, new-build or construction-stage property in Portugal.

The goal is to understand what you are accepting before signing an off-plan CPCV or making staged payments.

1. Identify who sells the unit

Check:

- legal seller;
- developer brand;
- promoter;
- project company;
- SPV;
- land owner, where relevant;
- company receiving staged payments.

Questions to ask:

- Is the company in the brochure the same company signing the CPCV?
- Which company receives buyer payments?
- Who is responsible for delivery?
- Who is responsible for warranty and after-sales?
- Is the project sold through a newly created project company?

2. Check developer and SPV information

Ask for:

- company name and registration details;
- project company details;
- promoter or group relationship;
- management details;
- previous project information;
- available corporate documents;
- explanation of the SPV structure.

Questions to ask:

- How is the SPV connected to the developer brand?

- Which previous projects were delivered by the same entity or group?
- What evidence supports the claimed track record?
- Who carries the buyer-facing obligations?

3. Review staged payments

Check:

- reservation payment;
- initial deposit;
- staged payment schedule;
- milestone triggers;
- proof required for each milestone;
- account receiving funds;
- refund conditions;
- payment protection, if any;
- what happens if construction pauses or delays.

Questions to ask:

- Are payments tied to real construction milestones?
- Who confirms each milestone?
- Is there evidence before payment?
- What protection exists after payment?
- Is there any escrow or guarantee mechanism?

4. Delivery date and delay

Check:

- target delivery date;
- grace period;
- notice requirement;
- long-stop date;
- buyer rights after delay;
- refund route after serious delay;
- force majeure wording;
- whether delay penalties exist.

Questions to ask:

- Is the delivery date binding or only estimated?
- What happens after the grace period?
- Can the buyer exit after a long delay?
- What happens to staged payments if the project does not finish on time?

5. Project changes

Check whether the seller can change:

- layout;
- area;
- materials;
- finishes;
- amenities;
- parking or storage;
- common areas;
- technical specifications.

Questions to ask:

- Which changes need buyer consent?
- Must substituted materials be equivalent or better?
- Can price change if area changes?
- Does the brochure match the contract?

6. Licensing and completion documents

Ask what documents must be ready before final completion.

Check:

- construction status;
- completion documents;
- use or habitation-related documentation;
- registration route;
- documents required for final deed;
- what happens if documents are delayed.

Questions to ask:

- Is final payment conditional on completion documents?
- Can the buyer refuse completion if documents are missing?
- Who is responsible for delays in documentation?

7. Handover and snagging

Check whether the contract covers:

- buyer inspection before final payment;
- snagging list;
- defects at handover;
- repair timeline;
- major vs minor defects;
- retention, if agreed;
- keys and access;
- parking and storage handover;
- after-sales contact.

Questions to ask:

- Can the buyer inspect before final payment?
- What happens if defects are found?
- Are defects documented in writing?
- Does the seller have a repair deadline?

| 8. Buyer exit rights

Check whether the buyer can withdraw if:

- construction is seriously delayed;
- completion documents are missing;
- project changes are material;
- financing fails, if protected;
- seller cannot deliver the agreed unit;
- major defects remain unresolved;
- seller breaches core obligations.

Questions to ask:

- What happens to payments if the buyer exits under agreed conditions?
- Is the refund process clear?
- Does the contract distinguish buyer default from seller failure?

| Red flags

Slow down if:

- payments go to a company you have not checked;
- delivery date is vague;
- there is no long-stop date;
- staged payments are not linked to milestones;
- the seller can change the project broadly;
- handover process is vague;
- warranty process has no practical contact or timeline;
- refund mechanics are unclear;
- the SPV has little visible history and no explanation.

| Next step

Need the off-plan contract, developer, SPV, staged payments and handover risks checked?

Off-Plan Buyer Risk Pack </services/off-plan-buyer-risk-pack-portugal/>