Managing change in the Greek conveyancing ecosystem

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November 2019
Outline

- The Greek conveyancing ecosystem
- Transforming the land administration framework
- Effects of the transformation on the conveyancing ecosystem
- Next steps
- Vision for the future
Stakeholders of Cadastre in Greece

- Ministries
- Citizens
- Engineers
- Lawyers
- Notaries
- Municipalities
- Technical Chamber
- Forest agencies
- Judicial, police and tax authorities
- LPIS
- Cadastre
Current conveyancer framework

- Buyer hires Lawyer
  - Lawyer checks ownership
  - Lawyer hires Surveyor
  - Surveyor measures property
  - Surveyor hires Civil engineer
    - Civil engineer checks for illegal constructions
    - Civil engineer provides Building Certificate
    - Seller requests a certification for non-forested land
      - Forest agencies issue Forest Certificate
    - Building Certificate goes to Notary Public
    - Notary signs and affixes the deed
    - Registry Office drafts the deed
Transforming the land administration framework

1. **Buyer** hires a **Lawyer** who checks ownership.
2. The **Lawyer** hires a **Surveyor** to measure the property.
3. The **Surveyor** prepares a **Topographic plan**.
4. The **Topographic plan** is checked for illegal constructions by a **Civil engineer**.
5. The **Civil engineer** issues a **Building Certificate**.
6. The **Seller** requests a certification for non-forested areas from the **Forest agencies**.
7. The **Forest agencies** issue a **Forest Certificate**.
8. The **Notary** drafts the deed, and the transaction is finalized.
Types of Registry (Mortgage) Offices

Public

Private

Notary
Spatial distribution of Registry Offices - Map
Situation (current status) of the Registry Offices

- Independent Offices
- Loose supervision from / by the Ministry of Justice
- Uncoordinated operation
- No service standards
- No cadastral expertise
- Difficult to correct cadastral survey errors (unwillingness)
- Many cannot sustain their operation financially due to the crisis
- Registrars retire and get replaced “temporarily” by notaries (68 from 218 private Registry Offices)
- 139 out of 390 RO have a notary acting as registrar
Typical Registry Office
Transforming the land administration framework

1. **Buyer** hires a **Lawyer** to check ownership.

2. The **Lawyer** drafts the deed.

3. The **Buyer** hires a **Surveyor** to measure the property.

4. The **Surveyor** prepares a **Topographic plan**.

5. The **Surveyor** checks for illegal constructions.

6. The **Civil engineer** checks for illegal constructions.

7. The **Civil engineer** issues a **Building Certificate**.

8. The **Seller** requests certification for non-forested areas.

9. The **Forest agencies** issues a **Forest Certificate**.

10. The **Register Office** drafts the deed.
Transforming the land administration framework
Hellenic Cadastre was established with law 4512/2018, as the **sole Public State entity** that is responsible for the development and the **operation of the Cadastre** in Greece, as well as, the **maintenance of the Registrations and Mortgages System** until its complete replacement by the Cadastre.
Current structure - Registry Offices

Law provision for the final structure of Cadastre

390 Registry Offices

will be merged into

- 17 COs (regional level)
- to operate 75 Branches (in prefecture capitals and big islands)

under the “Hellenic Cadastre”
New Regional structure of the Hellenic Cadastre

➢ The **COs** have the responsibility for the operation of Cadastre

➢ **Branches** provide local services and the maintenance of the old registry system

➢ As of today 1 CO and 3 Branches are in operation
Administration Structure – current status

- Ministry of Environment, Energy and Climatic Change
- Ministry of Justice, Transparency and Human Rights
- Ministry of Environment & Energy
- Hellenic Cadastre
- Mortgage Office
- Interim Cadastral Office
- Cadastral Office
- supports
- supervises
- becomes

HEMCO (Hellenic Mapping and Cadastral Organisation)
Ministry of Environment, Energy and Climatic Change
Ministry of Justice
Hellenic Mapping and Cadastral Organisation (HEMCO)

KTIMATOLOGIO S.A.
Mortgage Office
Interim Cadastral Office
Cadastral Office

supervises

supervises

Ministry of Environment, Energy and Climatic Change
Ministry of Justice
Hellenic Cadastre

supervises

Administration Structure – final status

Ministry of Environment & Energy

Hellenic Cadastre

Cadastral Office
## Managing expectations of the stakeholders

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<th>Stakeholders</th>
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<th>Opposing</th>
<th>Neutral</th>
<th>Supportive</th>
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<td>Association of Surveyors</td>
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<td>Unsalaried Registrars</td>
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<td>Salaried Registrars</td>
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<td>Employees of unsalaried Registry Offices</td>
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<td>Employees of salaried Registry Offices</td>
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<td>Regions</td>
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<td>Municipalities</td>
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<td>Local societies</td>
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<td>Judicial authorities</td>
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C = Current disposition
D = Desired disposition
Outline

• The Greek conveyancing ecosystem
• Transforming the land administration framework
• Effects of the transformation on the conveyancing ecosystem
• Next steps
• Vision for the future
Benefits of the new reform

- One land administration agency for the whole country
- One Ministry responsible
- Cadastre development and operation by the same agency
- Utilises the experience and expertise of NCMA S.A. and the mortgage offices
- Central control and management of the real property registrations throughout the country
- Uniform service provision standards
- More cost effective regional structure
- More effective use of human resources
- Vision for the future for the benefit of the public
Challenges of the reform

- Integrate staff
- Merge offices
- Manage a huge archive (digitization and maintenance)
- Set up common service standards
- Improve transparency and accountability...through e-services
## Changes to be managed

<table>
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<th>before</th>
<th>after</th>
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<tbody>
<tr>
<td>Ministry of Justice</td>
<td>Ministry of Environment Hellenic Cadastre</td>
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<tr>
<td>390 Registry Offices</td>
<td>92 Cadastral Offices &amp; Branches (LR&amp; Cadaster functions)</td>
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<td>Paper based operation</td>
<td>Digital operation, e-services</td>
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<td>Paper archive</td>
<td>Digital archive + digitization</td>
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<td>Payment by cash</td>
<td>E-banking</td>
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<td>Registrar freelancer</td>
<td>Public servants</td>
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<td>Staff – private sector</td>
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<td>Fees go to Registrars and State</td>
<td>Fees go to the Hellenic Cadastre</td>
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<td>Operation and infrastructure according to each registrar</td>
<td>Typical office layout and Unified Operation according to regulations and guidelines</td>
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<tr>
<td>Loose supervision</td>
<td>Systematic supervision and support</td>
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Set up a minimum IT environment for managing incoming petitions

- New cadastral offices and their branches **manage both Cadastre and Land Registry**

- Cadastre function has an IT system for managing all steps of the registration procedure except payments.

- Develop a **new central IT system for the Land Registry function** that registers all petitions for registrations and certificates/abstracts/copies.

- **Adopt exclusively electronic payments** for both Cadastre and Land Registry transactions:
  - ✓ POS
  - ✓ e-banking
Digitizing the interaction with surveyors

- **Surveyor**
  - Measures property
  - Checks for illegal constructions
  - Requires a certification for non-forested

- **Lawyer**
  - Checks ownership
  - Hires

- **Seller**
  - Requests certification for non-forested

- **Buyer**
  - Hires

- **Forest agencies**
  - Issues Forest Certificate

- **Notary Public**
  - Drafts the deed

- **Civil engineer**
  - Checks for illegal constructions
  - Hires

- **Hellenic Cadastre**
  - Topographic plan
Digitizing the interaction with surveyors

- New service since 2018 to **submit** to the cadastre **digitally signed topographic plans** in the context of real property transactions (mandatory).
- Topographic plans in dxf format and their metadata are uploaded to a database in order to be directly used in cadastre updating
- **Each** submitted **topographic plan** gets a **unique ID** through which one can access the certificate of submittal
- The surveyor now takes the **cadastral extract in digital form**.
Submittal of topographic plans

- Submittal by **authorized users only** through the collaboration with the Technical Chamber of Greece
- New **standardized format** with specific layers for different types of information
- This format is being discussed to be extended to cover also the needs of the plans for the issuance of building permits
Digitizing the interaction with surveyors
Digitizing the interaction with surveyors

*e- conveyance of a diagram* (screenshots)
Comparing topographic plans to cadastral data
Comparing topographic plans to cadastral data
Comparing topographic plans to cadastral data
Submittal of topographic plans - Benefits

- **First step** towards digitizing the conveyancing procedure
- Topographic plans are drafted **only by appropriately qualified engineers**
- **Speeds up updating** of the cadastral maps
- **Reduces** the possibility of **error**
- **Automated check of the compatibility** of the topographic plan with the cadastral data and the effects of a mutation
- **Online archive** of the topographic plans for each surveyor
- No more paper diagrams in CO
Delivery of cadastral extracts in digital form
Delivery of cadastral extracts in digital form
Transforming the interaction of citizens with forest agencies
Transforming the interaction of citizens with forest agencies

Currently

• **Citizens had to request** a specific **certificate** from the local forest service to verify that the property to be transferred does not fall in a protected forested area.

• **Long delays,**

• Decisions often **not consistent,**

• Cause for **frustration,** wasting of time and money, loss of investments
Forest maps

Forest maps is the **tool to officially delineate areas to be protected due to their forested nature.**

Hellenic Cadastre produces forest maps:
- Open procedure
- Transparent decisions based on actual evidence
- Citizen participation through webservices

The result is the **ratified forest map** publicly available for viewing and download through the website of the Hellenic Cadastre.
Forest maps
Transforming the interaction of citizens with forest agencies

- During the preparation of a transfer deed, a **topographic plan** has to be drafted.
- The surveyor can **download** the part of the ratified forest map that covers the property in question.
- The surveyor has the responsibility to **officially declare** – based on the ratified forest map – whether the property falls or not on a forested area on the topographic plan.
- Reduce the administrative burden for the citizens - **No forest certificate is needed anymore.**
Digitizing the submission of deeds
Digitizing the submission of deeds

For the cadastral function of the offices:

- **Currently** all applications for registration have to be delivered on paper to the local registry office.
- Each deed is accompanied by:
  - an application for registration
  - a summary of the deed
  - a topographic plan/diagram
  - other documents that are requested by law to be submitted to verify the legality of the transaction
Digitizing the submission of deeds

A **new web application** is being **developed** for the new regional offices of the Hellenic Cadastre that **enables notaries** to:

- **Type** in a form the **basic information** of the deed
- **Automatically produce** the **application** for registration and the summary of the deed
- **Submit deeds** in digital form digitally signed
- Make just a reference to the **ID** of the topographic plan in the deed instead of submitting it
- Receive by the system the estimation of the **fees** that must be payed to register the deed
- **Request** the necessary **certificates** from the registration of the deed
- **Pay** by electronic means (e-banking, credit card)
Digitizing the submission of deeds
Benefits

- **Reduce the need to go to the local office**
- **Save time** and **money** for the citizen to register the deed
- **Eliminate** typing **errors** from the cadastral office staff
- Save time and money for the cadastral office
- **Improve** the **quality of service** irrespective of the number of the regional offices
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Next steps

- **Digital submission of notarial deeds** (under testing)
- Digital submission **of other registrable acts** (by lawyers and bailiffs) (under testing)
- Digital submission **of applications for certain certificates** (under development) and issuance of digital certificates
- **Remote search** of the cadastral database
- **Licensed surveyors**
The vision

✓ Provide modern services with state-of-art technology from any part of the country to any other

✓ Ensure uniformity in the operation, level of services and infrastructure throughout the country

✓ increase transparency and security in the procedure of registration

✓ improve the quality of the registrations

✓ Introduce paperless procedures and provide reliable e-services to professionals and citizens

✓ make more efficient use of the regional structure and the resources of the Agency
Thank you for your attention!