

## 2018 Greek Property Tax (“ENFIA”) | Deadlines to have in mind

**This Newsletter gives an insight on the 2018 annual Greek Property Tax, ENFIA, and the deadlines to be complied with by taxpayers**

### 2018 ENFIA in brief

The ENFIA assessments were uploaded in the electronic platform of the Ministry of Finance, Taxisnet, on 29 August 2018. The 2018 ENFIA has been computed on the basis of the adjusted price zones determined by the relevant ministerial decision issued in June 2018, the amended basic tax scales that served as basis for the calculation of the main ENFIA, and the amended tax brackets introduced by **Law 4549/2018 on 14 June 2018** (for more information please see our Tax Newsletter dated 20 June). As per the announcements of the Ministry of Finance, the total amount of ENFIA assessed within 2018 amounts to Euro 3.1 billion.

The deadlines to be noted are the following:

### **Deadline for payment of the ENFIA**

The ENFIA can be paid either one-off by 28 September or in five equal monthly instalments as follows:

- 28 September 2018
- 31 October 2018
- 30 November 2018
- 31 December 2018
- 31 January 2019

### **30-day deadline for appealing against the ENFIA assessment**

The deadline for filing an appeal against this year’s ENFIA assessment expires on 30 September 2018 (for those ENFIA assessments issued within August which seems to be the case for almost all taxpayers). It is noted that during August the term for filing an administrative appeal is suspended and thus the term for filing the ENFIA appeal starts on 1 September 2018.

Based on settled case law, the price zones and the statutory values which form the basis for the computation of the ENFIA, constitute a rebuttable presumption of the market value of the properties. Therefore, taxpayers who consider that the statutory values do not reflect the market values of their properties are in principle entitled to challenge such values before the Greek Courts.

As per the recent decision of the Supreme Administrative Court (StE 1357/2018), the appellant taxpayer should prove that the actual market value of the property is significantly lower than the value taken into account for ENFIA assessment purposes. The taxpayer should bring forward pertinent evidence to that direction such as sale deeds of comparable properties or a property valuation report.

Filing of the appeal does not suspend the taxpayer's liability to pay the tax. Furthermore, the matter is not expected to be resolved at the level of the Dispute Resolution Authority but is likely to be tried at all court levels up to the Supreme Administrative Court. Therefore, dispute should be finalised within five to ten years following the appeal, depending on the amounts at stake.

## Timeframe for corrections of the E9 returns

Corrections regarding the description of the property in the E9 returns, which are taken into account for the computation of the ENFIA (such as the exact location of the property, its surface, age, etc.), may be performed at any time up until a preliminary tax assessment is served to the taxpayer. The filing of revised E9 returns triggers a one-off penalty of Euro 100. In the event that following the revision the ENFIA is increased, additional penalties and interests shall be assessed. In the event that the ENFIA is reduced, taxpayers may be invited before the tax administration to present all legal and technical documentation substantiating the revisions of the E9 return.

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