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Contracts

An increasing problem we see weekly, even daily Lakeside is contractual disagreements. This includes property sales/purchases, leases, labor, and contractor agreements. These contracts come in English, and/or Spanish, and sometimes are written in such a way as to be illegal according to Federal or State law. The phrase to always apply to these matters is **Due Diligence**. It is always better to spend a little now to protect yourself from something big in the future.

When contracts in Mexico are signed, the excuse of “well I didn’t know it said that” will not assist you if you try to take the other party to court, or if the other party is taking you to court. Also note; if you sign a contract that has broken Federal or State laws, you are in turn agreeing to break these same laws.

Whenever you hire a contractor to make renovations or repairs on a home, or even build you a new home, make sure you get what is agreed upon in writing. If you get these details in writing you will be protecting yourself down the road if things go wrong. You may be asked up front for a percentage of the job, sometimes as high as 50%, but never agree to pay fully until the job is complete.

To make some matters worse, we occasionally see contracts that are not signed by all parties, and sometimes they only have copies. Please make sure your copy is an original, and is signed. Often enough, it is much easier to sign on original and then make a copy of that original. Unless a Notario notarizes the photocopy, it will not stand up in court later if necessary. If the contract is copied before the signatures go on, this is okay as well as long as the signatures are original.

In addition to some of the contract problems, some of us do not know our rights in Mexico. When you are purchasing property, the real estate agent involved will always have a Notario that they usually deal and recommend to you. Some of our clients have even been told that they have to use the real estates Notario. This is false, you have the right to choose the Notario of your choice.

To some of you this maybe all common sense, but not knowing the way certain things are done in a foreign country can be intimidating. Make it a point find out. When you are unsure of something, or if something just doesn’t feel right, it is your responsibility to find out. There are many different sources Lakeside that will help you, such as your attorney, or The Lake Chapala Society has a great wealth of information. Remember, on the street if you ask 12 different people, you will probably get at least 10 different answers.