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Building bridges... and properties aplenty: cultural problems in Spanish real estate marketing for prospective British buyers

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1. The Spanish real estate sector

Until very recently, the Spanish real estate sector enjoyed a period of massive growth, up to the point that it became one of the main economic sectors in Spain with even greater importance than sectors such as agriculture and energy, considered essential or basic in traditional economies. This was the combined result of a number of measures and policies implemented in the 60s and 70s when homeownership rose to above 80%. Several factors contributed to such figures. In Spain there had always been a tendency towards homeownership as opposed to rented housing for psychological and practical reasons (a home is equity that can be relied upon and left to one's children), but also due to country-specific factors such as the dearth of tax benefits for rented accommodation, comparatively low interest rates, a not-so reliable financial sector which made real estate the ideal investment in terms of guaranteed returns, and the existence in Spain of *funcionario* jobs, i.e. the possibility of gaining access to a job for life where redundancies are almost impossible, thereby guaranteeing income (and thus mortgage payments) and a fixed residence (since a *funcionario* cannot be made to move to a different town).

There are, of course, other reasons. On the one hand, for most Europeans, Spain is an attractive place to buy a second home (due to comparatively lower prices, warm climate, etc.); on the other hand, the country has been attracting immigrants looking for (better) jobs requiring housing, which has helped Spaniards to sell their old properties and upgrade to new and better ones. All this, together with the cheap labour provided by immigrants working in the building industry, contributed to a great demand for properties and to a huge growth of this sector. Under these circumstances, speculators were able to do business very easily as labour was cheap and the demand caused prices to rise out of all proportion. According to the Spanish Ministry of Housing, prices rose in Spain by 247% from 1997 to 2005. The situation was so buoyant that the Banco de España recorded an average return on property investment of 13.5% between 1988 and 2003, i.e. higher than the stock market investments, which were around 9%. However, such a situation no longer exists, and the first bankruptcies among real estate agents and

developers are beginning to hit the headlines. The famous “bubble”, which some people felt might explode, has certainly done so.

This crisis affecting the real estate market is having serious repercussions on unemployment and the market not only in Spain but also abroad. Since 2007, the loss of buoyancy in the Spanish real estate market has occupied numerous Spanish and foreign newspaper pages and been the subject of many specialized articles. For example, in April 2007 Padgham wrote in *The (London) Independent*: “As Spain falters, is the world’s property boom coming to an end?: Panic selling of Spanish real estate stocks this week sent shudders through property markets worldwide as investors bet that Spain’s 10-year construction boom is finally over”. However, in this author’s view, this had already been foreseen in the light of the 2006 figures. Padgham (2007) went further and (rightly) predicted that house prices in many parts of Spain would stagnate in 2007, and stagnate or fall in 2008.¹

However, in spite of this massive general crisis which is affecting the real estate sector, it must be said that it does not affect all the people, properties and areas in the same way. Thus, unlike “mediocre” properties, it is thought that those in good areas and in the best developments “will hold their value in the short-term, and deliver solid returns in the long-term” (Padgham, 2007). Partridge (2007) argues that “the party may well be over for investors in Spanish property, where shares in construction companies plunged last week amid fears of a property crash. But for prudent, small-scale investors, the hangover should not be disastrous”. In this case, there are differences among the different Spanish regions and even cities within the same region. Given such a scenario, it seems clear that only those players offering the best product (also in terms of communication with customers) will survive.

2. Marketing and translation: a brief overview

A lot has been said and written about advertising translation and/or copy adaptation. In a globalized world, and with economies of scale being a must for firms to succeed, there is no question that products have to be sold worldwide, and the advertising message has to be conveyed to different audiences.

Interestingly enough, while commercial practice has not changed too much, since slogans and messages have been adapted for quite a long time, academic literature seems to imply otherwise: a quick glance at the bibliography on the subject in the sixties and seventies (see the special issue in *Meta*, 1(1972) entitled “L’adaptation publicitaire”, and especially Boivineau (1972: 5-28) reveals that what is done with advertising messages used to be called “copy adaptation”, a term which is still used by marketing experts worldwide (Papavassiliou / Stathakopoulos 1997; Shoham 2002). Nevertheless, in the late nineties, and doubtlessly in the new millennium, the word “translation” is frequently found in academic studies, the shift occurring in the late eighties/early nineties, as illustrated by papers entitled “Le texte publicitaire: traduction

¹ Other foreign countries and/or cities are also experiencing a similar situation. See, for example, Thornton 2002a and 2002b, and Padgham 2007 on the United Kingdom, Padgham 2007 on India, or the recent developments in America with Fannie Mae and Freddie Mac.

or adaptation” (Tatilon 1990). What has changed is not professional practice, but the notion of translation itself, which has moved away from the literal and has come to encompass communicative acts in which the existence of a “source text” is becoming more and more irrelevant. In fact, some scholars are progressively embracing other labels: for example, Holz-Manttäri (1984), prefers “intercultural communication” or “intercultural cooperation”, and quotes the now famous case of the translator asked to render a faulty source text (a set of operating instructions for a machine) who enlists the help of an engineer, and only then, after fully understanding how the machine operates, writes the relevant instructions according to the relevant genre conventions. This example, which even to modern theorists like Nord (2005) may not be considered “translation”, does not appear surprising at all in advertising, which in fact relies on a similar process: given an existing product, copywriters prepare different versions of the same advertisement for different countries, trying to tailor the message to their intended audiences.

3. Real estate marketing and translation: linguistic and cultural problems

Within the real estate sector, translation and intercultural communication are of primary importance due to the outstanding number of transactions carried out by foreigners in Spain, especially Britons. This includes not only oral interpretation on visits to properties with agents and prospective buyers or at notary or registry offices, but also real estate marketing. In the latter case, translators may play the role of advertising copywriters, act as agents themselves or simply collaborate in writing brochures, leaflets or web page copy (the most common nowadays). However, despite the British Embassy’s advice to “always have documents translated for you into English by someone you can trust. It is worth the expense ... so that you understand fully what the original documents say and mean” (Foreign and Commonwealth Office, 2005), sometimes translators are not aware of—or fail to consider—the cultural differences between the two communities, and this may lead to misunderstandings with serious consequences.

In addition to the cultural and legal problems, which are the main focus of our study, it should be remembered that the salesperson/translator’s language competence may sometimes hinder effective communication. In spite of the great improvements made in advertising material in Spain, examples can still be found of shaky or weak English versions. For example, “bungalows” are advertised for sale next to a photograph clearly showing a two-storey house, i.e. what is meant by *bungalow* in Spanish; there are websites calling themselves “real *state* agents”, and some descriptions of properties seem to have been translated by a 10-year-old (perhaps on the understanding that the property will sell by itself, no matter the quality of the message):

TOWN HOUSE IN BAIX EBRE (Ref. 07302). Situation: In population closely together of Tortosa.

However, apart from the obvious mistakes, great difficulties may arise when the message conveyed to the English-speaking party is not understandable or ambiguous (Bressers 2007: 64)

Last year I had a case about an English couple who sought my legal aid after a guy in Málaga sold them a house with a big garden. At least, that was what they thought they had bought. In fact, what they really bought was only the house, and ‘right to use’ the ground underneath. These people only found out when a year later they applied for a mortgage and the bank told them that the value of what they owned was about 25% of what they paid for it. The English translation of the contract was rather vague, but the Spanish version –the only one that matters!– was very clear about it.

This has created a situation in which potential buyers are specifically told to mistrust any documentation handed over in English:

And if, as is often the case with Spanish properties, the seller or their agent gives you English versions of Spanish documentation, do not assume they are accurate translations - get the original Spanish paperwork and the English translations checked out at the same time!
(http://www.britishexpat.com/expat_money/lawyer01.htm)

However much you fall in love with a property in Spain, you should avoid relying on the services of a translator provided by your Spanish Estate Agent who is keen to sell the property as quickly and at the highest price possible, and then move on to the next sale. Contact a local translation company and pay for your own translator - services are not expensive and are well worth paying for to protect your own interests.
(http://www.euroresidentes.com/Property/buying_house_spain_tips.htm)

This type of advice, together with media pressure and the cultural and legal differences we shall discuss in the following section, has led to a situation of “otherization” (Holliday et al 2004: 3), in which some market players frequently resort to “fear of the other” as a selling strategy. This may greatly harm any prospect of business recovery for the already weakened Spanish real estate sector.

3.1. Legal and cultural problems

In translation, and in intercultural communication in general, the greatest difficulty is created by anisomorphism, i.e. the lack of equivalence between the referential or linguistic schemata of languages or cultures. Although we agree, following Halliday *et al.* (2004: 4-6) that it would be wrong to speak of a uniform “British” culture, certainly there are specific, tangible elements which condition the way communication (as observed in language) takes place. Therefore, in order to avoid oversimplification, we shall try to refer as much as possible to objective facts based on factual asymmetries between Britain and Spain.

In the case of real estate, there are a number of factors leading to profound differences, such as land planning, different practices related to building (e.g. horizontal vs. vertical building), different lifestyles, and last but not least, the differences between legal systems. An extreme example, even within the same language (English), is the notion of “title insurance” (Murray 2007: 70-72), an insurance policy taken out mainly in the United States protecting purchasers against potential problems regarding

ownership of the property sold; this notion even needs to be explained to British speakers of the language.²

Another anisomorphism arises from the extremely different connotations of *piso* and “flat”. Most dictionaries (*Oxford*, for instance) simply consider them equivalent, although the Spanish term is neutral and the English one may very well connote low-quality rented accommodation for young people³. This poses a difficulty for Spanish real estate agents trying to sell *pisos* to foreigners.

A similar problem is the translation of the Spanish “urbanización”, a self-contained development in which the individual units (apartments, villas or terraced houses) are owned individually and there are a number of jointly owned and managed elements, such as a swimming pool, tennis courts, gardens and the like. Such arrangement, though usual in the United States, is mostly unknown in Britain, where terms like “housing estate”, though similar, do not feature jointly owned elements. Britons living or investing in Spain, in order to avoid any confusion and maintain the positive connotations of *urbanizaciones*, have decided to adapt the term into English, leading to a usage differing from the traditional one of “process” or “state”:

All my friends live in Las Rozas —a bit busy for my liking, hence we live in an urbanization in Valdemorillo in the peaceful ‘countryside’[...] (<http://www.spainexpat.com/spain/forum/viewthread/2055/>)

I just thought I would add my experience of the whole internet/broadband in Spain thing. We live in an urbanisation in the Costa Blanca where Telefonica refuse to put more than two landlines to each cluster of 8 - 18 houses. (http://www.spainexpat.com/spain/information/internet_in_spain)

The anisomorphisms of *piso* and *urbanización*, however, stem from the wider legal framework affecting almost all properties in Spain, with the exception of free-standing houses: the Spanish Horizontal Division Law (*Ley de Propiedad Horizontal*). Paradoxically, “horizontal” here is originally related to “vertical”, i.e. to flats, which being individually owned, necessarily imply the existence of common areas (stairs, structural elements, lifts, etc.) which would not be necessary if each person had their own free-standing home, or if the whole block of flats belonged to one owner and each unit was leased to its occupants. By law, purchasing a “dwelling in horizontal property” implies not only ownership of common elements and responsibility for their upkeep, but even compulsory membership of the body responsible for the management of such elements, the *Comunidad de Propietarios* or “Community of owners”.

Whether you are planning to buy a Spanish property in an urbanisation, or rent or buy an apartment, you are going to have to deal with what is commonly known as *La Comunidad de Vecinos*. This is the committee made up of your immediate

² Such is the difference between the United States and Great Britain, where the Land Registry does contain complete information on title, liens and encumbrances, that there are even websites which explain (or rather “translate”) those terms for Britons wishing to invest abroad. See, for example, <http://www.lawoverseas.com/buying-a-property-in-united-states-c603.html>.

³ In fact, there are mortgage lenders reluctant to accept a flat for a mortgage, and if they do, there are a number of requirements, e.g. no flat is accepted above commercial premises or above four storeys high (see, for instance, <http://www.ncbs.co.uk/mortgage/lending.htm>). Such restrictions would be unthinkable on a Spanish *piso*.

neighbours who, like it or not, have the right to meddle in your affairs in a way that is sometimes not exactly to your taste. Remember that with real estate in Spain you generally have less rights and more obligations compared to some other countries!

(http://www.spainexpat.com/spain/information/spanish_property_comunidad)

Apart from the value judgments (“meddle in your affairs”, “less rights”, etc.), the example is interesting in that even the Spanish terminology is confused; while the page extensively talks about *comunidad de propietarios*, the introductory paragraph mentions a *comunidad de vecinos*, a colloquial way to name the same body, but extremely misleading because it lies half way between the former and the *asociación de vecinos*, a non-compulsory type of association of residents in the same area usually responsible for organizing leisure activities and lobbying local councils for facilities.

In addition to the “overt” differences, i.e. those affecting legal frameworks, there are the “covert” differences, which involve unofficially recognized practices. One of them is the so-called “B money” (*dinero B*), or in other words, the practice of declaring to the Spanish tax authorities an amount lower than the real sale price. This clearly illegal practice is, of course, never accepted in writing, and is only mentioned in pages providing general advice:

First of all the advertised price isn't the price you pay. You must add another 10% for legal fees etc on the purchase price of the property or 12% if you need a mortgage. You pay 10% of the declared value. It is customary in Spain to only declare a percentage of the purchase price. This is known as BLACK and WHITE Money. I.e. the black money is the undeclared amount. (<http://ezinearticles.com/?Buying-in-Spain---What-is-a-Buyers-Agent-and-how-can-they-Help?&id=298270>)

Buying property is perhaps the easiest way to launder black funds, which Spaniards politely call “dinero B” up to half of the price of a home is expected to be paid in cash. Newspaper property sections have ballooned in recent months. The front page of the conservative newspaper, *ABC*, bore a photograph the other day of a washing machine spinning blue banknotes. “Black money seeks red bricks” was the explicit headline. (<http://www.independent.co.uk/news/world/europe/madrid-black-money-triggers-boom-as-eday-nears-630589.html>)

On top of this, there is doubt as to the role of the translator as “cultural mediator”. On the one hand, some might expect the translator to engage in real intercultural communication, which is certainly the case in other areas (for example, in the leisure industry, where it might seem perfectly acceptable for liaison interpreters to supplement any information necessary). However, either because of the legal complexities, or because of the great burden of responsibility involved, translators, at least professional ones, are reluctant to do so. As we said elsewhere (Campos-Pardillos 2007), legal interpreters are insistently taught that they are not lawyers, and run the risk of passing on inaccurate or incomplete information, which the foreign party will most probably accept uncritically from the only person present who speaks their language. The usual solution, in this case, is to translate all questions to a lawyer or notary, and then convey the answer into the target language. Nevertheless, such cultural neutrality, where the interpreter never volunteers any unsolicited information, and any queries are referred to

professionals, is seldom found among salespeople or agents, who do intervene when they feel necessary, as will be seen below.

3.2. *Otherization: advertising based on fear*

In the aforementioned article/advertisement, Bressers (2007: 64) suggests that it is not easy to buy a house in Spain: “in Spain everything is different. Anyone who sets foot on Spanish ground needs to be aware of those differences”. On the one hand, as we have seen so far, there are legal differences; as Bressers warns, buying a house is not “an isolated act with no relation whatsoever to Spanish rules”. Obviously, Spanish rules on real estate, both national and local, are important to bear in mind but also “tax law and, maybe later on, marital assets law, succession law, etc.” However, the selling proposal of this advertisement (for a law firm specializing in real estate) goes as far as to say that “[I]n most West-European countries, cheating is considered morally improper, whereas in most Mediterranean countries cheating is part of doing business in a clever way”. In other cases, accusations are levelled not only at Spaniards in general, but also at estate agents and developers in particular:

We all know we will face extra costs when buying abroad –buying, selling and maintaining a property incurs hefty sums. But there are "hidden" costs–such as taxes the agent conveniently forgot to mention in the sale price. (<http://www.novocasa.com/news/523>)

You have seen it and heard it all before when people are buying a villa or apartment for sale in Spain. They offer you everything, but you have no idea what you might get. It's a worrying part of finding a new home for sale in Spain for a new life or retirement or even a holiday home. Basically you have no idea whether the property you are looking at is actually owned by the person trying to sell or whether the land that is for sale is actually included or has the correct planning permissions. Many developers will also offer you their own lawyers / solicitors to do all the legal work for you, which can end in disaster in some house purchase [...] *Don't get caught out with a conveyancing lawyer who is recommended by a developer as you will never know until it is too late how just how independent they really are.* (<http://www.housesbylawyers.com>)

However, some notaries try to release themselves from their obligations by adding an escape clause to the deed stating that the buyer agrees that the notary isn't responsible if charges are found against a property after the purchase. Naturally, this isn't explained to a buyer and could be construed as fraud on the part of the notary, because if he took the trouble to explain it to the buyer, he wouldn't sign it. *You should refuse to sign a deed when such as clause is included* (yet another good reason to have a lawyer check a contract). (<http://www.andaluzhomes.co.uk/buying-property-spain.php>)

Of course, these images are not exclusive to real estate advertising; the British press in general has contributed to distributing oversimplified images of Spain. More specifically, it often accuses Spaniards of fraud and cheating (Kelly 1998: 62), and is in general confusing and stereotyped (Iglesias and Onofrío 2008: 115). This perpetual image, which at best fails to match the changes that have occurred in the country over the last 25 years, is also reflected in worldwide studies like the Nation Brand Index

(NBI) (Noya 2005). However, it might be argued that such strategies may backfire for, while the message is that doing business *with (some) Spaniards* means trouble, and therefore one should be careful, the general notion may be created that purchasing *anything in Spain* is dangerous. Such animosity might taint the whole country of origin, and indirectly send prospective home purchasers to other competing countries.⁴

4. (Un)successfully dealing with asymmetry: terminology and explanations

A number of sources have been used for the purposes of this section. Our findings indicate that, in principle, the asymmetries do not come from a “language” or linguistic problem, that is, a misuse of English grammar, for example, but rather from cultural differences between the communities involved in the purchases and sales.

We have analysed the three translation processes that may be used to solve cultural asymmetries namely, *foreignization*, *domestication*, and *neutralization*. In general, our results show that *domestication*, that is, the conscious or unconscious substitution of one element for an equivalent in the target language is the most frequent procedure. This translation technique may be regarded as quite dangerous since it creates a false idea in the recipients (be they readers or listeners) who believe the notion of the other culture is similar to a concept of their own community or culture. In other cases, the translator may render both the term and the explanation (if there is one) literally. This procedure may be correct. However, when there is no shared knowledge between the two communities, as in e.g. “gestoría” below, a different procedure such as foreignization should be used, i.e. maintaining the original term in the source culture with an added explanation. Unfortunately, the tendency in such cases seems to be to resort to neutralization, which often seems extreme or exaggerated, and even meaningless or false.

For our analysis of some examples of asymmetries between Spain and Britain as regards the real estate sector, especially those concerning the purchase-sale procedures likely to create problems for British people wishing to buy a property in Spain, various websites have been used: one from a savings bank, translated from Spanish (Bancaja), and five from real estate agencies, namely Ipsola, Homesoverseas, Homesandproperty, Omega-estate-spain and Mortgagearrangers, originally drafted in English. Note that some of them, such as Ipsola, are informative only in appearance, i.e. the real purpose of such informative texts is actually to promote sales.

4.1. Cuenta Vivienda

Savings through a home-savings account (Bancaja).

In Spain, before deciding to buy a home, one may save money in a special account which makes it possible to deduct tax for a maximum of four years, after which one

⁴ Some developers and real estate agents even go as far as to report on fraud allegations against other competitors (e.g. <http://www.novocasa.com/news/545>). Presumably, this might prove to prospective customers that not all players are the same in the market, but the effectiveness of such strategy remains to be proven.

must buy a property. Such an account is called a “cuenta vivienda”, a culture-specific element with no equivalent in Britain, at least with a similar name. The neutralization “home-savings account”, as used by Bancaja, may apparently be correct. However, it hides two problems: on the one hand, it does not explain how such an account works; on the other, Britons may well not be allowed to have one as they probably need to be Spanish residents or to live in Spain and pay Spanish *IRPF* (personal income tax). This is a frequent problem: the texts are translated from Spanish, and translators feel that they are not allowed to omit anything, even in cases where clearly part of the Spanish version does not apply (see the case of Spanish ID cards below).

4.2. *Vivienda de Protección Oficial (VPO)*

Property Transfer Tax: [...] With government-subsidised housing, the rate ranges from 3% to 7%, depending on the autonomous community. (Bancaja)

Likewise, there is a Spanish type of housing called VPO (*Vivienda de Protección Oficial*), that is, homes fulfilling certain requirements eligible for specific tax benefits. For this type of property, with no equivalent in Britain, different translations are usually found. The best seems to be the result of a neutralization, that is, “government-subsidised housing”, as offered by Bancaja. In the past, some dictionaries tended to translate it as “social housing” - quite a dangerous term as Spanish VPOs differ from British social housing in many ways, mainly in the quality of the buildings and the social status of the people living in or buying a VPO. However, as with the *cuenta vivienda* above, the notion may be irrelevant in English, since most foreigners are probably not eligible for such benefits anyway.

4.3. *Agente de la Propiedad Inmobiliaria (API)*

Real estate agents (APIs). Real estate agents will suggest a price that will allow for the easy sale of your home. (Bancaja)

We suggest you use a licensed estate agent who is a member of a professional body such as “API” (*agente de la propiedad inmobiliaria*), or a “GIPE” (*asociación profesional de gestores intermediarios en promociones de edificaciones*). (Ipsola)

An agent who is a member of a professional body - either an “API” (*agente de la propiedad inmobiliaria*), or a “GIPE” (Mortgagearrangers)

Before buying any property, the first person Britons may come across in Spain may be an *API* (*Agente de la Propiedad Inmobiliaria*), which may be translated in different ways and needs an explanation. Bancaja renders it as “real estate agent (API)”, which appears to us to be a lame translation as it does not explain that one can be a real estate agent but not necessarily an API, as APIs are only those who belong to a given association. However, the fact that they include “(API)” between brackets is quite revealing, as this may lead a sharp reader to think that there is a difference between the British and the Spanish concept. Ipsola, on the other hand, uses a more satisfactory translation, with an explanation helping the reader to distinguish the role of these

Spanish agents from that of their British homologues. Thus, “a licensed estate agent who is a member of a professional body such as “API” (agente de la propiedad inmobiliaria), or a “GIPE” (asociación profesional de gestores intermediarios en promociones de edificaciones).” As for Mortgagearrangers, even though a quite general term (“agent”) is used, the role of such agents is clearly explained, together with the terms API and GIPE, always with intratextual glosses.

4.4. *Gestoría/gestor*

Mortgage loans involve the following costs: [...] Processing fees. (Bancaja)

If you are unsure, apply for a NIE using your solicitor or a “gestor”. (Ipsola)

In order to obtain and submit many documents in Spain, one may be assisted by a “gestor” or “gestoría”. This figure presents quite a relevant cultural asymmetry or problem as there is no such a thing in Britain. Spaniards tend to prefer paying a “gestoría” in order to speed up and simplify document processing, and not waste their time queuing, which makes “gestorías” an integral part of the Spanish system, even though technically they are unnecessary. Britons, however, do not know about this; when faced with this procedure, they usually find it either silly to waste money when they can perfectly do without the “gestor”, or suspect Spaniards are after their money at all costs. It is difficult to find an appropriate translation or equivalent: the *Oxford Spanish Dictionary* uses “agency” and adds “which obtains official documents on clients’ behalf”. We believe that this is not precise enough as the “gestoría” or its “gestor” may not only obtain documents from the official bodies but also submit them. Bancaja calls it “processing”, as “gastos de gestoría” are translated as “processing fees”, a quite inaccurate option as “processing” may apply to bank transfers, commissions for loans, etc. The best procedure seems to be to use an explanatory paragraph and leave the Spanish term in inverted commas.

4.5. *Notario*

Notary public: This is the ideal person to orient you with regard to current law. (Bancaja)

On completion, when all the necessary checks have been carried out, both parties sign the escritura (title deeds) in the presence of a notary. (Homesoverseas)

In order to sign the deed of sale, a legal figure purchasers require is the “notario”. The term is translated as “notary” in all the sources used. However, we think that such a translation should be accompanied by an explanation as notaries meet different purposes and perform different roles from one country to another. Indeed, the confusing element here is that the British “notary” is (1) unnecessary when buying a property (versus Spain, where their intervention is compulsory), and (2) they, or the “licensed conveyancer” in England and Wales, work for only one of the parties. Therefore, the

British buyer may be confused and expect the notary to help him/her, while the notary's role in Spain is merely that of a sort of registrar.

4.6. *Documento Nacional de Identidad (DNI)*

Personal details: Spanish ID Card (DNI) or Vat No. and, if married, the applicable community property system. (Bancaja)

[...] NIE (numero de identificación extranjero) if non-resident or NIF (numero de identificación fiscal). (Ipsola)

Anyone wishing to buy (or sell) a property in Spain must first obtain from the state –in person– a fiscal number for foreigners known as NIE (número de identificación de extranjeros). (Homesoverseas)

In Spain, whenever one makes an important transaction, buys something with a credit card, applies for a job, enrolls at university, etc. one needs to show proof of identity by means of the *DNI (Documento Nacional de Identidad)*, especially before a notary, and this document does not have an equivalent in Britain. Hence, the translation provided by Bancaja “Spanish ID Card”, followed by the intratextual gloss “(DNI)” may be acceptable... but pointless. A person holding a Spanish identity card will not be reading the English translation, while for the British reader it lacks importance. Conversely, foreigners will obviously not have this document, which may also be replaced in some cases by the “Vat No.” (in Spanish NIF). As in other instances seen below, translators do not feel they can (or are not allowed to) eliminate this information from the target language version and adapt it to potential addressees. Of course, if foreigners need to prove their identity, they may very well use their NIE or the “número de identificación de extranjeros” as both Ipsola and Homesoverseas specify.

4.7. *Impuesto sobre Actos Jurídicos Documentados (IAJD)*

Stamp Duty: The rate depends on the autonomous community and the type of home (applicable to first home conveyances and mortgage liability with mortgage loans: see Appendix V). (Bancaja)

For new-build properties, VAT (IVA) of 7% is payable in addition to 1% stamp duty (Homesoverseas)

When buying a property, one will necessarily have to pay some taxes: the IAJD rate depends on the type of property and on the *comunidad autónoma* (autonomous region). When rendered as “stamp duty” (Bancaja and Homesoverseas), the asymmetry is not successfully solved: as with all domestications, Britons will think of it in terms of their own language concept, missing the traits of meaning the Spanish term has, and may be misled into believing that it is equivalent to theirs. Some, with Homeoverseas' translation, may even understand that it is payable in Britain.

4.8. Impuesto sobre la Renta de las Personas Físicas

The purchase, as well as the construction or restoration, of a home (provided it is or will be the primary residence) entails a series of tax benefits with regard to personal income tax (Bancaja)

The “Impuesto de la Renta de las Personas Físicas” translated as “personal income tax” is a further case of neutralization, where once again the information conveyed is misleading. It is certainly true that the purchase itself has advantages, but the British person would need to be a resident or have their residence in Spain for legal and/or tax purposes. Where do they pay income tax? Do they live in Spain? In other words, this is obviously an advantage for Spanish people but probably not for Britons. This is one of the main problems of using both domestications and neutralizations. Neutralizations are general, blur differences and in most legal texts do not apply to the target language community. Similarly, domestications only refer to the L1 community and also confuse facts and situations, rendering translations or utterances false or misleading.

4.9. Comunidad de Propietarios

Registry verification or certification: [...] This is the query made at the Property Registry to make sure that the home you wish to purchase is not subject to any conditions [...] owner association expenses, leases, etc.). (Bancaja)

Proof of the last payment of ownership association expenses. (Bancaja)

As seen above, having a property in Spain necessarily means belonging to the “comunidad de propietarios”, which Bancaja translates as either “owner association” or “ownership association”. Both the term and the concept itself may be quite confusing for the British buyer and need an explanation because in Spain it is compulsory to be a member of the owners’ association as soon as you purchase a given property ruled by a condominium scheme. More significantly, all this implies paying for repairs or new arrangements in the building, deciding on whether renovations are necessary, being appointed as chairperson even if one does not wish to, attending meetings for taking decisions, etc. As noted above, a wrong or ambiguous translation may cause many problems or difficulties for a foreigner, especially if the “comunidad de propietarios” is confused with a neighbours’ association.

5. Conclusions

As we have seen from the examples in this chapter, it would be misguided to think that linguistic competence per se is a problem affecting intercultural communication between players in the real estate sector. In this study, a number of sources have been used, all of which have in common the fact that, in principle, the “language” is not a problem, i.e. either the English used is grammatically correct, or if there are any shortcomings, they have no bearing upon the general purport of the message.

Although lack of language skills may still occur, it is more frequently the case that the real difficulty in the message lies in the anisomorphism between legal and cultural practices between Spanish and British people. In this respect, it is our opinion that more attention should be paid to the two-way relationship between law and culture; though often not listed as a cultural resource (e.g. in Halliday *et al.* 2004: 13), we firmly believe it should be, either in itself, or as a reflection of others, such as ideology or religion.

Regarding cultural problems, the strategies vary. Bilingual texts seem to be extremely subordinated to the original, with the translator never adding or explaining anything. By contrast, in texts drafted in English, where what is “translated” is the idea or the situation, the translator, perhaps being more aware of the problems involved, may resort to more detailed explanations. Therefore, it seems that translators, or at least initiators (since they are the ones imposing the conditions for translations) might learn a few lessons from source texts dealing with foreign cultures, such as that a clear definition of who the addressee is does help to anticipate potential communication problems, dispense with unnecessary information, and what is more interesting, pave the way for successful communication and business success.

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