

PURCHASE OF PROPERTY OR LOT / LAND

USED PROPERTY

Evaluate habitability, condition of plumbing and electrical systems, and look for cracks, mold, and humidity. Essential documents for verifying the property's legal status include, Property Registration Certificate, Negative Certificates from the Federal Court, Civil and Labor Court Distributors and Proof of no outstanding condo fees.

OFF-PLAN PROPERTY (UNDER CONSTRUCTION)

Focus on delivery time and payment installments. You may have to pay for both the property and temporary housing until construction is complete.

Check whether the building plan has been approved by the local City Hall, whether the square footage listed in the contract matches the approved plan, and whether the project's incorporation has been officially registered with the Real Estate Registry Office.

<https://www.registroimoveis.org.br/servicos-interno/transacoes-imobiliarias>

FINANCED PROPERTY (SFH)

The Housing Finance System (SFH) is available for purchasing new or used properties, including for migrants and refugees with permanent visas. Its terms and interest rates are regulated by the federal government. Repayment can extend up to 35 years, and the property itself serves as collateral.

To check if you're eligible, you can run a simulation here: <https://www.caixa.gov.br/voce/habitacao/financiamento-de-imoveis>

LAND OR LOTS

Purchasing land requires similar precautions. Visit the location; verify with City Hall whether the subdivision is legally approved; check for a deed (which legally validates the sale and ownership); confirm the land is not in a protected area; and verify if there are any construction restrictions.

NEVER STAY ON THE STREETS

There are shelters available free of charge. Some are run by the government, others by nonprofit organizations. To learn more about how they work and the rules for using them, visit:

Centro POP

https://capital.sp.gov.br/web/assistencia_social/imigrantes/ or call 156 (available only in the city of São Paulo-SP)

CRAS: Social Assistance Reference Centers

<https://www.gov.br/pt-br/servicos/acessar-o-cras-centro-de-referencia-da-assistencia-social>

https://capital.sp.gov.br/web/assistencia_social/w/-cras/326712

CREAS: Specialized Social Assistance Reference Centers


https://capital.sp.gov.br/web/assistencia_social/w/protecao_social_especial/330936

Partner Shelters in Brazil

<https://help.unhcr.org/brazil/onde-encontrar-ajuda/organizacoes-parceiras-da-sociedade-civil/>

PROCON-SP – SERVICE CHANNELS

 **Site:** www.procon.sp.gov.br

 **Call 151 (in the City of São Paulo)**
Monday to Friday, 9am to 3pm

 **Face-to-face service in the City**
São Paulo appointment required:
procon.agenda.sp.gov.br/eagenda.web/procon

 **Other municipalities:** Consult your city hall or the Procon-SP website

 **Ombudsman:** fala.sp.gov.br

 **@proconsp**

 **@proconspoficial**  **@TVProconSP**

BASIC CONSUMER RIGHTS FOR REFUGEES AND IMMIGRANTS

HOUSING

Realization:

PROCONSP

Secretaria da **Justiça e Cidadania**  **SÃO PAULO**
GOVERNO DO ESTADO
SÃO PAULO SÃO TODOS

Support and collaboration:

 **UNHCR**
ACNUR
Agência da ONU para Refugiados

 **Caritas**
Atendimento de SÃO PAULO

 **FAMBRAS**
FEDERAÇÃO DAS ORGANIZAÇÕES MIGRANTES DO BRASIL
اتحاد الجمعيات المهاجرة في البرازيل

 **MISSÃO PAZ**

All individuals who enter the country voluntarily or as refugees, regardless of nationality, **have the same consumer rights guaranteed to Brazilian citizens**, as established by Law No. 8,078 of 1990, known as the Consumer Defense Code (CDC).

Procon-SP is a public agency created to protect and uphold these rights, providing free services to consumers.

Refugees and immigrants with provisional documentation have the right to obtain a CPF (Individual Registration) issued by the Federal Revenue Service. With this document, they can access basic free services, such as medical care through the public health system (SUS), as well as services available in the consumer market.

HOUSING

The first step for a migrant or refugee who wishes to rent or purchase a property or a lot is to contact a licensed real estate agency registered with the Regional Council of Realtors (CRECI-SP – Conselho Regional de Corretores de Imóveis – www.crecisp.gov.br).

RENTAL / LEASE

In Brazil, rental agreements handled through a real estate agency are governed by the Tenancy Law (Lei do Inquilinato) and are considered a consumer relationship. If you rent directly from the property owner or sublet (rent all or part of a property, or a room, from someone who is already a tenant) without the owner's written consent, you will not be protected under consumer law. In case of problems, any disputes must be resolved through the courts.

Likewise, informal rental agreements based solely on verbal arrangements are strongly discouraged. The absence of written documentation can significantly hinder legal proceedings in the event of a dispute.

When renting a property, it is essential to visit the chosen place before signing the contract. The contract must include the following written information, such as the names, addresses, and identification details of both the landlord and the tenant, as well as:

- Full name, address, and legal identification of both the landlord and the tenant,
- Description and address of the property,
- Lease term,
- Adjustment index (usually annual),
- Security deposit or other guarantee chosen by the tenant.

TYPES OF GUARANTEES

Security Deposit: An amount equal to three months' rent, deposited into a savings account. It can be refunded at the end of the lease.

Guarantor: A person designated by the tenant who becomes financially responsible in the event of non-payment.

Rent Insurance: A monthly insurance fee paid by the tenant instead of having a guarantor. This amount is non-refundable.



Attention: Demanding more than one type of guarantee is illegal and considered a criminal offense.

The Urban Property Tax (IPTU), collected by city governments, the maintenance and utility costs of common areas in apartment or housing complexes (known as condomínio fees), and optional fire insurance premiums may be charged to the tenant, but must be clearly stated in the lease.

TIPS

Evaluate the neighborhood where you intend to rent: its distance from work, access to public transportation, whether there is a support network, and whether there are people from your home country nearby.

INSPECTIONS: Property inspections must be arranged by the landlord or real estate agency before the tenant moves in and after they move out. A detailed report must be issued describing the condition of the property. This helps prevent disputes over existing or future damage.

RENT ADJUSTMENT: The rent may be adjusted every 12 months based on official inflation indexes (it may never be adjusted based on foreign currency or the Brazilian minimum wage).

RENT REVIEW: A rent review may take place when the lease has a long duration, and the rent is significantly below market value.

MOVING OUT: The property can be vacated by either the landlord or the tenant, under terms and deadlines defined by the Tenancy Law.

EARLY TERMINATION OF THE LEASE: If the tenant wishes to move out before the lease ends, they must notify the landlord and pay the contractual termination fee, which is proportional to the remaining lease term.

ARBITRATION CLAUSES

Pay attention to any clause that imposes arbitration for resolving rental disputes, especially in contracts signed through online platforms.

Tenants are not required to submit to arbitration. If you have any issues, you can contact **Procon-SP**, or reach out to **CEJUSC** (<https://www.tjsp.jus.br/Conciliacao>), or the **Small Claims Court** (<https://www.tjsp.jus.br/JuizadosEspeciais>). All of them offer free assistance.

SEASONAL RENTALS

Because it is considered a service agreement, it falls exclusively under consumer protection regulations. For stays of up to 90 days, the contract must include:

- Check-in and check-out dates,
- Name and address of the property owner,
- Price and payment terms,
- General description of rooms and furnishings.



Be cautious when renting through international platforms. If the company does not have an office in Brazil, you will not be able to file a complaint with Procon-SP.