

63B Calmette St., Nguyen Thai Binh Ward, Dist. 1  
Ho Chi Minh, Vietnam

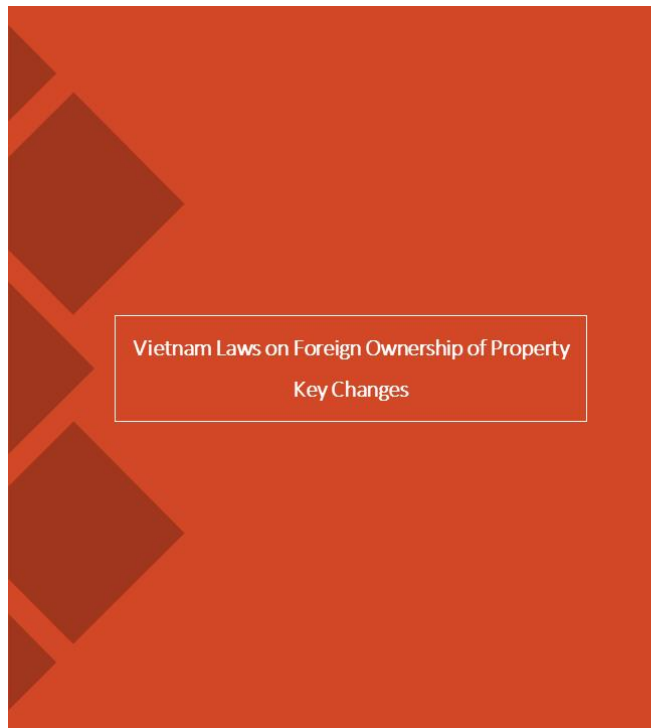
t: +84 28 6276 9900 | f: +84 28 220 0913

w: [www.cnccounsel.com](http://www.cnccounsel.com) | e: [contact@cnccounsel.com](mailto:contact@cnccounsel.com)

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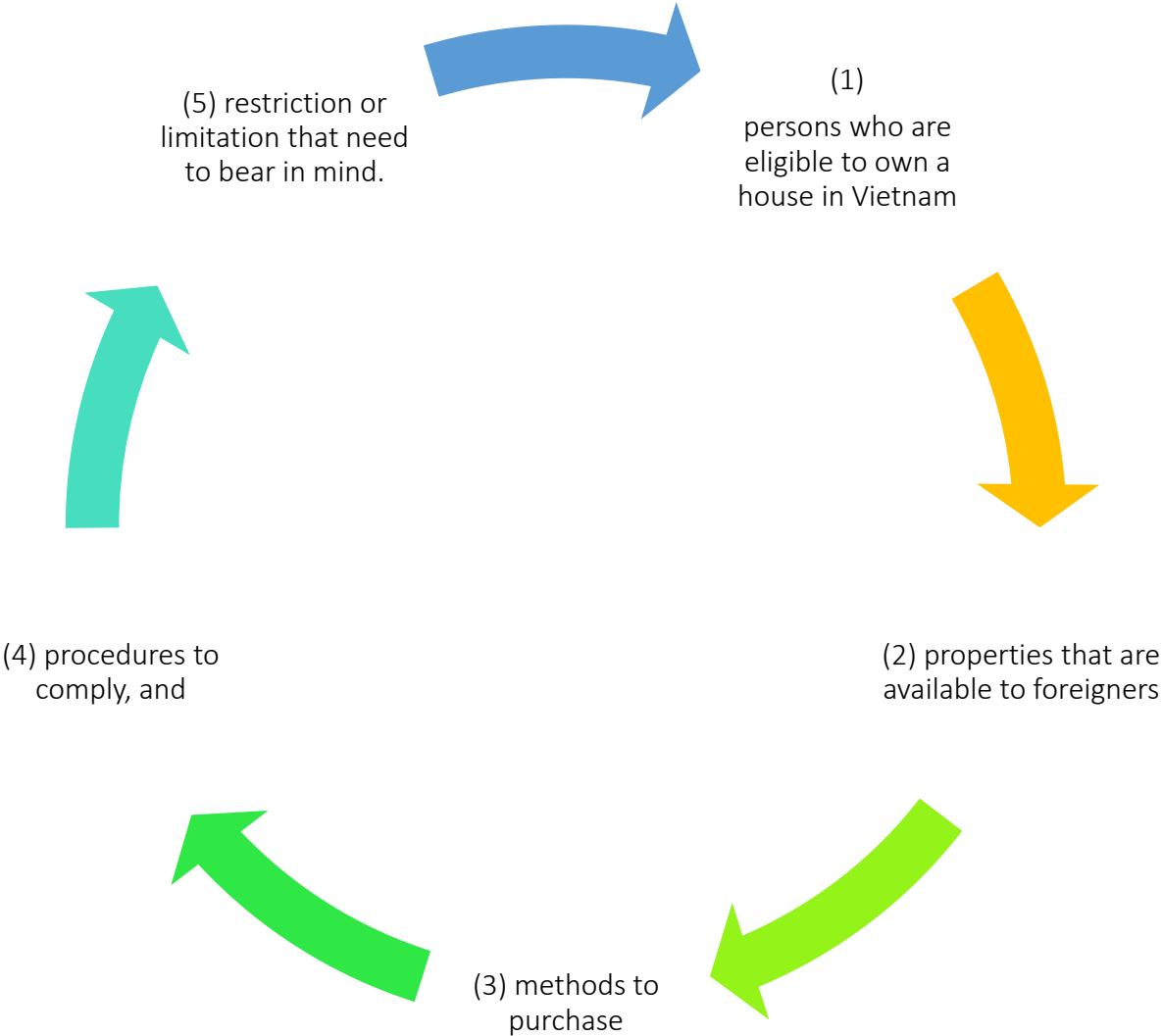
# Vietnam laws on foreign ownership of property – key changes

## Introduction

If you are an expat working or living in Vietnam for an extended period of time, and you do not have a clear understanding of the legal procedures pertaining to housing matter here in Vietnam, this article will definitely help you.

## A summary of key changes

This will summarise some of key changes in Vietnam law pertaining to



## Who are eligible?

Law of Vietnam now allows 5 categorised persons to own a house in Vietnam which are

1

**INDIVIDUAL** including foreign citizen, no nationality who permanently or temporarily residing in Vietnam having valid documentation permitted to enter Vietnam, except diplomatic immunity and privilege.

2

**FOREIGN ORGANISATION** including foreign-invested enterprises an organization established and operated under Vietnamese law whose members or shareholders are foreign investors

3

**BRANCHES AND/OR REPRESENTATIVE OFFICE OF FOREIGN ENTERPRISES** - a dependent unit of the foreign enterprises which is established under the Vietnamese law

4

**FOREIGN INVESTMENT FUND AND BRANCHES OF FOREIGN BANKS IN VIETNAM** - a fund formed from capital contributed by investors for the purpose of earning profits and a foreign bank's subsidiary without legal entity status respectively, and finally

5

**OVERSEAS VIETNAMESE** - Vietnamese citizens, original Vietnamese who are now currently residing or living for a long time in a foreign country

## Which Form of Housing Is available?

### eligible



- apartment and detached houses - including villas, row houses of commercial housing constructed project are available to foreigners


### not eligible



- no other type of houses, including individual separate house is available to foreigners

## What are the methods?

Foreigners can own a house by



investing in project-based housing construction in Vietnam, including development of commercial housing invested by a real estate enterprise for lease, lease purchase or sale, and renovation and reconstruction of old housing areas and/or apartment buildings, or	purchase, lease-purchase, receive or inherit commercial housing in the project for housing construction
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## What Are procedures?

Depending on the methods to own a house in Vietnam, foreigners shall have to choose either the following procedures to comply with.



<b>Investment in Project-Based Housing Construction</b> <ul style="list-style-type: none"><li>• Step 1 - Obtain a decision/approval on investment policies</li><li>• Step 2 - Planning appraisal, housing construction project approval</li><li>• Step 3 - Developing the housing construction project</li><li>• Step 4 - Contract for lease, lease purchase or sale conduction</li></ul>	<b>Buy, Rent and Purchase, Receive or Inherit</b> <ul style="list-style-type: none"><li>• Step 1 - Sign contract at notarized office or authenticated by competent authorities for the agreement on housing sale, lease, lease purchase, gift</li><li>• Step 2 - Apply for a certificate for the change in ownership at competent authority</li></ul>
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# What Are limitations or restrictions?

There are a number of limitations and restrictions that apply to foreigners if they intend to own a house in Vietnam which include the (total) number of houses to be entitled, which is now

<b>eligible areas</b>	Foreigners are unable to purchase or own a house that is within national defense and security requirements. It is worth however noting that these areas were not publicly announced by the authorities.
<b>total number of properties</b>	up to 250 houses regarding separate houses including villas, or row house up to 10% of the houses of a project having less than 2500 houses in an area whose population is equivalent to a ward-administrative division up to 30% of the total number of an apartments in a building
<b>leasing entitlement</b>	In addition, foreign individual is entitled to lease house for lawful purpose provided that s/he notifies the agency.
<b>terms of ownership</b>	the term which is only 50 year lease which can be extended or transferred prior to its expiration in the event purchase, lease-purchase, inherit or received as a gift.
<b>limited purpose imposed on enterprise</b>	Last but not least, foreign organization(s) is/are only provided for their employee but it is not allowed to use their houses for lease, offices or other purpose.

## Getting started

Get in touch with us today via [contact@cncounsel.com](mailto:contact@cncounsel.com) or call us at **+84-28 6276 9900** if you wish to purchase properties in Vietnam to ensure possibly potential risks are properly eliminated.

