Análisis del cumplimiento de los deberes de transparencia en los contratos de crédito inmobiliario [

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text (article)

Analítica

The Jurisprudence indicates that the floor clause or early maturity clause in real estate credit contracts with consumers for residential real estate may be considered as abusive due to lack of transparency; consequently, Law 5/2019 regulating Real Estate Credit Contracts imposes the obligation of compliance with material transparency in the generation of these contracts, with the object of recovering the trust of borrowers and providing legal certainty. To this end, duties of pre-contractual information are reinforced and the notary is empowered to control compliance with transparency. This study analyzes the fulfillment of these duties and their verification in the notarial act of compliance with pre-contractual information, insofar as it may constitute a rebuttable presumption of compliance with transparency
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