

# HUNTING FOR CASHTLES

Economic turbulence needn't derail dreams of a second home in Phuket, says RICHARD DUNHAM, though prospective buyers would do well to heed a few words of expert advice

**T**oys are Graham Halsall's stock and trade, which explains why his holidays tend to have little to do with fun and games.

Halsall, managing director of Halsall Far East, Britain's biggest privately owned toy and giftware manufacturer, bought a multi million-dollar vacation home in Phuket three years ago. But don't expect to find him decked out in scuba gear or swinging a golf club during the weeks he's here.

"No," he says with a chuckle, "I'm not much for yachting either. My idea of a relaxing vacation is enjoying some hotel-style service in my own home."

PHOTO: ANDARA PHUKET

Being that his five-bedroom, ocean-side villa measures a roomy 1,468sqm – and that his property as a whole (with Infiniti pool) accounts for an additional 1,000sqm – the 48-year-old Briton would be hard-pressed to avoid such service even if he wasn't keen.

Of course, not every property in Phuket is as posh as Halsall's second home, part of an ultra-deluxe villa and spa resort at Kamala Beach known as Andara, where housekeepers and private chefs are as ubiquitous as palm trees.

Still, that hasn't stopped well-heeled holidaymakers from setting up house there – for investment, vacation or retirement reasons – even at a time when

uncertainty in Thailand has others taking a more cautious stance.

While there's no denying that investing in property of any kind in Thailand or elsewhere is not without its risks, there's much more than the headlines to consider when making up your mind about entering a luxury market mainstay like Phuket.

After taking into account factors like how close you wish to be to golf courses, marinas, shopping and other tourism infrastructure – which are key not only to personal enjoyment but also to any property's resale value – the next step in finding a house is obtaining the services of a lawyer and a real estate agent.

*Blue horizons:  
poolside view; (below)  
bathtime luxury*



“The estate agent can often see through developers who lack experience, and are only in the market to make money



PHOTOS: ANDARA PHUKET

“Contracts in Thailand don’t always adhere to the standards that people might be used to in their home countries,” says Dennis Ramm, managing partner of Siam Legal, Thailand’s largest legal service network. “Which is why it’s so important to find people who have experience dealing with legal matters here.”

Among the major pitfalls to avoid in purchasing a property in Thailand is failing to verify that the seller has clear and legal title to the land before entering into a contract with him. It’s advisable to have your lawyer handle this part of the process – as well as checks of the financial history of the chosen developer – just as it’s a good idea to employ an estate agent with the local knowledge and experience necessary to get you the

best possible deal.

“The agent can often see through developers who are only in the market to make money,” says Bill Barnett, managing director of Phuket property consultancy, C9 Hotelworks. “These developers may not have the experience to manage a project, so there are delays and other problems. That’s the thing to remember if they offer better prices or seem to cater more to your needs.”

Once you’ve set your sights on your dream home, you’ll need to consult with the lawyer again to sort out the paperwork needed to buy it. In Thailand, foreigners are not permitted to own a house in their own name. But their Thai-registered company may do so.

“It’s possible because in a Thailand

Limited Company – with mixed Thai and foreign ownership – the foreigner with 49% of the company can control it. You can use a special power of attorney to give control to the foreign directors or increase their voting rights.”

The alternative is to obtain a 30-year renewable lease on a property and register an option at the land office to renew the lease indefinitely. But lease renewals can’t be registered, can’t prevent a buyer from purchasing the property and don’t allow for sublets, sales or transfers of interest without the lessor’s consent.

It’s after the Thai company is established that the real work begins: registering the company for land ownership, obtaining any needed loans, conducting due diligence, preparing the sales agreement and registering the transfer of ownership.

Once that’s done, however, there’s little else to do but to savour the seaside lifestyle, which in toy magnate Halsall’s view is well worth the effort of buying.

“It doesn’t get any better than this,” he says with a laugh.



- ANDARA LUXURY VILLAS AND SPA (TEL: +66 (0)76 279 255, WWW.ANDARAPHUKET.COM)
- SIAM LEGAL (TEL: +66 (0)76 326 322, WWW.SIAM-LEGAL.COM)
- BILL BARNETT (TEL: +66 (0)81 956 1802, WWW.C9HOTELWORKS.COM)

TIGER AIRWAYS OFFERS DAILY FLIGHTS BETWEEN SINGAPORE AND PHUKET. BOOK YOUR FLIGHTS AT WWW.TIGERAIRWAYS.COM