



Aqualina Samui Questions & Answers

What is Aqualina Samui?

Combining the latest developments in eco design with iconic modern architecture, Aqualina represents a cool new approach to exclusive tropical living. This unique hillside development is on the northern coast of Thailand's Samui Island and will be comprised of eighteen exclusive villas in which innovative design exists in harmony with the natural environment.

Where is Aqualina Samui?

Set in the gulf of Thailand, some 80 kilometers off the southern Thai coast, Samui retains a distinct island culture without being isolated. Only a one hour flight from Bangkok, Samui possesses the classic ingredients of the island in the sun while also offering a well tuned infrastructure that meets the demands of modern living

Who is the developer?

Exclusive Developments Co., Ltd.

How many units are there?

There will be eighteen luxury villas in total with two and three bedroom models.

When is the construction due to start?

The show house construction will start October 2007.

Is it easy to access the site?

The villas are located 250 meters from the main Samui Ring Road in Maenam. Maenam is five minutes from Fisherman's Village and also a ten minute drive to the International Airport.

What is the size of the villa land plots?

Plot sizes range from 600- 650 square meters for the two bedrooms villas and 750-1100 square meters for the three bedrooms villas.

What is included in the purchase price?

Included in the purchase price is a thirty year registered leasehold which includes two successive thirty year renewals and a freehold option over the land, villa construction, built-in furniture, a private swimming pool, landscaping, and decks.

Is the sales price fixed or is there a chance that it will increase during the construction period?

Yes, the sales price is fixed and will not be increased during the construction period.

Is there a furniture package available?

Yes, in fact purchasers will have the option to choose from a variety of furniture packages. These packages are in addition to the built-in furniture included in the purchase price and are charge separately from the purchase price.

- Legal -

What type of ownership is offered?

In general, no foreigner is allowed to directly own freehold land in Thailand. However, a foreigner can own a structure on the land. Thus, the Aqualina villas themselves will be the outright property of the Aqualina owners.

A foreigner may also own a leasehold on land of up to thirty years and may include successive options to renew this initial term. Furthermore, the leasehold may be designed such that it essentially gives the person leasing “freehold value” by including a “freehold option” clause in the lease. Aqualina owners will purchase a twice-renewable leasehold over the land plot which will allow up to 90 years of legal leasehold ownership. And they will have a freehold option clause giving them the ability to cancel their lease and transfer the freehold title to anyone lawfully allowed to receive it at any time during the lease. Thus, the lease with a freehold option offers the owner security, flexibility, and freehold value. Such registered leaseholds are very easy to setup. The Aqualina plots are sold on such basis.

The ownership of both the land leaseholds and the villa themselves will be officially registered in the personal names of the owners at the Samui Land Office.

What are the costs associated with the leasehold and villa ownership registration?

- Leasehold:
Lease registration fees and stamp duty (currently 1.1% of the total lease premium) is payable to the Land Department upon registration of the lease.
- Villa:
Freehold registration fees (currently 1.0% of the land office appraised value of the property) is payable to the Land Department upon transfer and registration of the title of the property. The appraised value is generally well below market value. Other applicable taxes upon transfer and registration of villa ownership are:
 - Corporate Income Tax (currently 1.0% of the selling price or appraised value, whichever is higher); and
 - Specific Business Tax (currently 3.3% of the selling price or appraised value, whichever is higher)

The burden between the seller and the purchaser for the above costs will be specified in the relevant lease and/or sale & purchase agreements.

Note: Note that the above applicable tax and fee rates are as of the date of issue of this Q&A. Changes in law or circumstances affecting them may occur after the issue date.

Is land leasehold transferable?

The land leasehold may be transferred subject to the terms and conditions of the lease agreement. Generally, an assignment fee is payable. In addition, the assignee must agree to be bound by the terms and conditions contained in the original lease agreement.

Can the leaseholder choose to transfer the freehold title to land plot?

Yes, the leasehold owner may choose to exercise their freehold option clause and thereby make the transfer of the freehold title to anyone of their choosing lawfully allowed to receive it at any time during the lease and permissible by law. As a result of the exercise of the freehold option the owner's lease will be cancelled.

Is leasehold land ownership secure?

Our land titles are free from mortgage and any encumbrances and this is, currently, the preferred method of ownership for foreign buyers. Once the lease is registered at the Land Department, the right of use to the land, including the right to own structures on the land, will be vested with the lessee.

When will be the lease / house transfer registration take place?

Within ninety days after full payment of the Rental of the land and Purchase Price of the villa have been made. Aqualina will notify the lessees / buyers of any required documents and fees which will be incurred upon registration.

- Construction -

How long does construction take?

Generally, it will take approximately fifteen months to complete the building and landscaping from the date of commencement of construction.

What is the warranty period offered?

The developer will guarantee the villas and the infrastructure for a period of one year.

– Rental Options –

Is there a rental program available and what are the potential returns?

As the villas are intended as luxury private residences, there is no guaranteed yield. However owners can choose to appoint a top villa management company who will optimize the earning potential of the property and also allowing it to provide an attractive return on investment.

What are the taxes levied on the rental programme that an owner will be subject to?

Rental earned by foreign owners who rent out their properties are subject to 15% withholding tax. Rental earned by Thai tax residents are subject to 5% withholding tax. We are not in the position to advise customers on taxes. We strongly suggest you consult with an independent legal and/or tax adviser.

How will the rental income be paid?

The management company you choose will pay the income to any bank account of your choice. Payments will be made quarterly following the date of transfer net of any withholding tax which currently would be 15% if the payments are made to an offshore account and 5% if the payments are made locally.

What are maintenance fees and expenses for units in the rental program?

The management company you select will supervise, administer and manage your villas. They will offer a portfolio of services that are designed to assist you in the smooth running of your property. There is a monthly service fee associated with this.

- Property Management –

What types of property management services are offered and what is the approximate cost?

We will introduce to you top management companies that will fully manage and maintain your villa. The company you chose will assume responsibility for every aspect of each villa's operation.

What will the common area charge be for each type of property?

The common area service charge is set at 45 THB per square meters per month. This fee will be collected once a year in the month of January. This charge covers costs for maintaining the common areas of Aqualina as well as the estate's 24 hour security.



What is the Sinking Fund?

The Sinking Fund is a common fund pooled by every owner to contribute to potential major repairs and maintenance works to the common areas and infrastructure and is set at 200,000 THB for a two bedrooms villa and 250,000 THB for a three bedrooms villa.

Will there be a management office on site?

There will be a reception building which will provide expert management on site. The team will provide anything our guest requires without compromising on high service standards. A professional security team on site will ensure privacy and safety remains a top priority.