

Daniel Nájera de los Santos

The New Real Estate Paradigm in Nuevo León (2025-2026)

At Pérez-Llorca's Real Estate practice, we have observed how the dynamism of the market in Nuevo León has prompted a necessary update to our legal framework.

Certainty in transactions is no longer just a goal; it is an essential requirement for institutional investment. In this context, we have analyzed the key changes that the 2025-2026 reform introduces to the daily operations of developers and funds. I am sharing this executive note on the fundamental pillars we are integrating into our strategic advice to ensure the success and legal compliance of every project:

I. Safeguarding Pre-sales (Mandatory Compliance)

The era of marketing projects without a solid legal foundation is over. To launch a pre-sale, the following criteria are now essential:

- **Valid Licenses:** Pre-sales that do not have an authorized construction license are strictly prohibited.
- **Transparency:** It is mandatory to disclose the property title, as well as all the municipal permits, of a real estate property to the buyer.
- **Refund Guarantee:** A maximum period of 60 days has been established to return capital if a project is not authorized or if the permits expire.
- **Compliance with Official Mexican Standards (NOM):** All pre-sale contracts must comply with the provisions established in NOM-247-SE-2021 issued by PROFECO regarding real estate pre-sales. These standards require truthful advertising, the delivery of comprehensive information (such as the executive project), clear adhesion contracts, and full transparency in pricing and specifications. These measures are designed to protect consumers from fraud and misleading advertising, and they are applicable to all housing developers and sellers in Mexico.

II. Critical Leasing Reforms

Urban leasing now operates under new rules that are designed to seek balance:

- **Security Deposits:** These are capped at a maximum of one month's rent.
- **Payment Management:** The failure to issue payment receipts for three months creates a legal presumption that the rent has been paid. Consequently, it is vital to pay attention to the administration of rental properties.
- **Rent Increases:** Annual rent increases may not exceed 10% and must be formalized through a new contract.

III. Legal Certainty and Registry Modernization (Real Estate “Precintas”):

The Public Registry and Cadastral Institute of Nuevo León is switching to a model based on digital “*precintas*” (cautionary notices or liens). This means that a property’s record (*folio real*) must be a faithful, real-time reflection of its legal status. This digitalization is key to preventing title fraud and streamlining due diligence for investors and notaries.

IV. The New Standard in Compliance and AML as We Look Ahead Towards 2026

The identification of the Ultimate Beneficial Owner (UBO) has become the centerpiece of compliance. Real estate developments, which are classified as vulnerable activities, require compliance manuals and constant audits to avoid severe sanctions from the Ministry of Finance (SHCP).

Conclusion

The era of attempting to sell based solely on a render is over. The current real estate market in Monterrey prizes legal certainty above all else. Those who adopt these standards from the structuring stage will not only mitigate litigation risks but will also demonstrate the professional reliability necessary to attract and retain institutional investors in an increasingly regulated environment.

To further discuss the impact that these reforms may have on your current or future projects, I am available to provide assistance at our Monterrey office.

Contacts



Alfredo Chavez Goyeneche

Real Estate Partner

alfredo.chavez@perezllorca.com

T. +52 55 5202 7622



Ricardo Morales Barrón

Corporate Partner

ricardo.morales@perezllorca.com

T. +52 81 1641 0050



Daniel Nájera de los Santos

Real Estate Counsel

daniel.najera@perezllorca.com

T. +52 81 1641 0050

Offices

Europe ↗

Barcelona
Lisbon
Madrid

Brussels
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Americas ↗

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