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PROPERTY RIGHTS IN OLD AGE: LEGAL KEYS FOR SAFE AND DIGNIFIED CONTRACTING CONTRACTS

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INFORMED AND FREE CONSENT

The law requires that any contract entered into by an elderly or dependent person be based on fully conscious consent, free from pressure, manipulation, or deceit. This includes the possibility of annulling contracts if defects in consent such as fraud or intimidation are detected.

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LEGAL SUPPORT MECHANISMS

For those with cognitive or functional limitations, figures such as curatorship, guardianship, and de facto guardians exist to protect their property and personal interests without annulling their legal capacity.

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CONTRACTS ADAPTED TO THE REALITY OF OLD AGE

Instruments such as reverse mortgages, food contracts, or the right of habitation allow elderly persons to access financial resources without losing their home or autonomy, offering safe contractual solutions tailored to their needs.

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INSTITUTIONAL AND JUDICIAL INTERVENTION

The Public Prosecutor's Office, social services, and the courts may act ex officio in cases of suspected abuse, mistreatment, or asset exploitation, applying precautionary measures such as freezing accounts, suspending contracts, or appointing legal representatives.

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