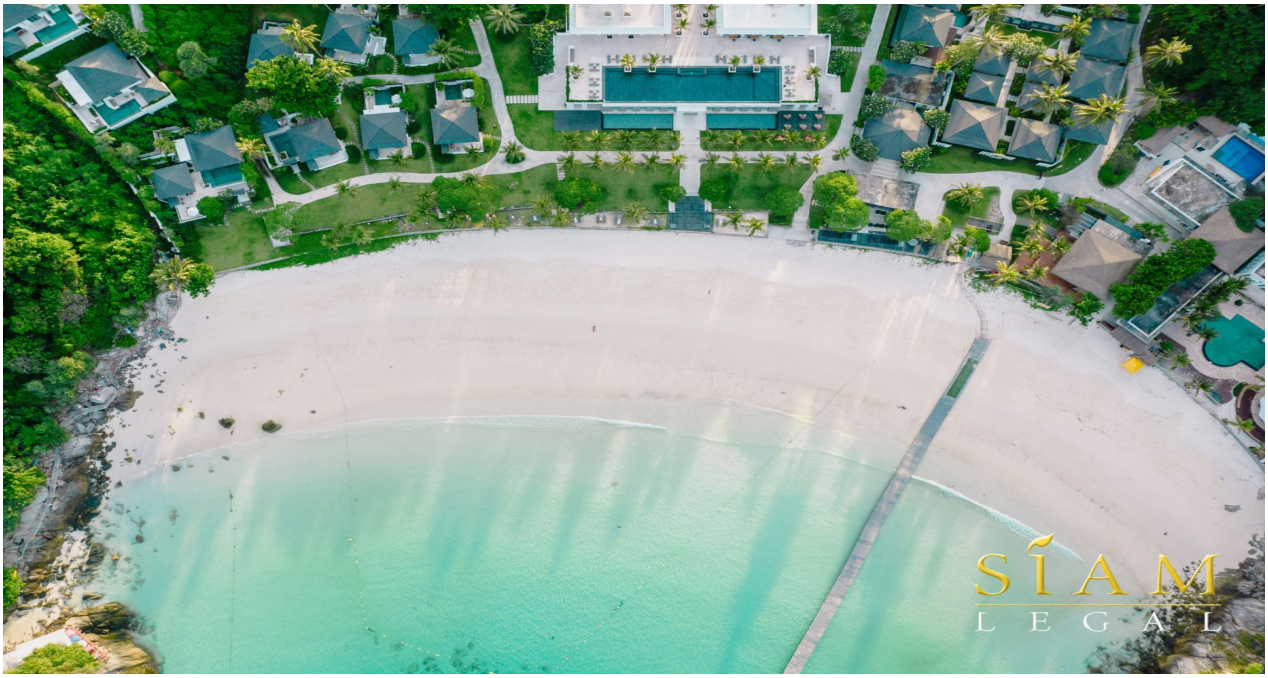

Siam Legal Phuket Advises on Legal Implications of Long-Stay Visas for Condo Buyers in Phuket Following Official Clarification

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Siam Legal Phuket is advising foreign investors and property buyers following a recent industry briefing that clarified the implementation of Phuket?s long-stay residency framework tied to real estate investment. The update comes after immigration authorities and private sector stakeholders acknowledged early-stage challenges in applying the programme since its introduction in October 2025.

The clarification was delivered during a joint session involving immigration officials and real estate executives, where authorities addressed operational uncertainties and outlined how the framework is currently being enforced in practice. Officials noted that both applicants and administrators have encountered initial difficulties as the system transitions from policy to real-world application.

The programme allows foreign nationals to obtain a renewable one-year stay based on qualifying property arrangements. These include condominium purchases valued at a minimum of 3 million baht, long-term rental

agreements starting at 85,000 baht per month, and extended lease structures with a total contract value exceeding 3 million baht. Each pathway requires supporting contracts, proof of payment, and compliance with existing property ownership laws.

However, Siam Legal Phuket notes that while the eligibility structure has now been clarified, the legal and regulatory environment surrounding the framework remains complex.

?Clarification at the operational level is helpful, but it does not eliminate the underlying legal risks,? said Omar O Manee, Attorney-at-Law at Siam Legal Phuket. ?Foreign ownership restrictions, documentation standards, and the intended use of property all remain critical factors. Misalignment in any of these areas can result in compliance issues or rejection.?

The programme has also drawn mixed reactions from local stakeholders. Some tourism and business operators have raised concerns that the minimum investment threshold may be too low, potentially affecting local housing affordability and creating enforcement challenges. There are also warnings that individuals may attempt to exploit the framework by using properties for unauthorized commercial purposes or short-term rentals.

Authorities have responded by emphasizing that applications are subject to multi-layered verification. Property ownership and lease arrangements must first be validated by land authorities and relevant agencies before being processed through authorised channels linked to the Tourism Authority of Thailand. Final approval is contingent on immigration review, with additional screening applied where necessary.

In addition, residency granted under the framework remains conditional. Holders are required to comply with standard immigration obligations, including 90-day reporting, and are not permitted to engage in employment without separate authorization. Authorities have made clear that status can be revoked if individuals are found to be in breach of regulations or involved in prohibited activities.

The policy is also being viewed within the broader context of Thailand?s property market, where developers and policymakers are seeking to address an oversupply of residential units. Industry participants have indicated that foreign demand, particularly from regional markets, continues to play a role in supporting absorption rates in key areas such as Phuket and Bangkok.

Despite this, Siam Legal Phuket advises that the framework should not be approached as a simplified residency pathway.

?The structure may appear accessible at first glance, but it is still subject to strict legal interpretation and ongoing regulatory adjustment,? Omar added. ?Applicants should ensure that both the property transaction

and the residency component are fully aligned with Thai law before proceeding.?

Foreign nationals considering participation in the framework are advised to conduct thorough due diligence on ownership structures, lease enforceability, tax implications, and permitted property use. Given the evolving nature of the programme and the level of scrutiny involved, early legal review remains essential.

For those navigating these requirements, working with experienced Phuket property lawyers can help ensure that property transactions and associated residency arrangements are structured in compliance with current regulations.

Siam Legal Phuket is a law firm advising both international and Thai clients on property transactions, regulatory compliance, and long-term residency planning in Thailand. The firm provides legal support across due diligence, contract structuring, and investment-related matters within the Thai legal framework.

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