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Applying for permission to use an apartment as a vacation home

Heruntergeladen am 24.06.2025

<https://fimportal.de/xzufi-services/396811103/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99116006006000, 99116006006000
Leistungsbezeichnung I	Applying for permission to use an apartment as a vacation home
Leistungsbezeichnung II	
Typisierung	5 - Kommune: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Wohnungswesen (116)
Verrichtungskennung	Genehmigung (006)
SDG-Informationsbereich	Kauf und Verkauf von Immobilien, einschließlich aller Bedingungen und Pflichten im Zusammenhang mit der Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)

Modul	Sachverhalt
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	17.10.2023
Fachlich freigegeben durch	Hessian Ministry of Economics, Energy, Transport and Housing
Handlungsgrundlage	https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-WoAufGHEV1IVZ https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-WoAufGHEV1IVZ
Teaser	If you want to rent out your apartment as a vacation apartment or use it for tourist accommodation, you need a permit in municipalities with tight housing markets that have issued a vacation apartment statute. The permit requires an application to the municipality.
Volltext	Municipalities with tight housing markets can determine by statute that living space may only be used as a vacation apartment with permission. The cities of Darmstadt, Frankfurt am Main, Maintal and Neu-Isenburg, for example, have vacation apartment bylaws in place.
Erforderliche Unterlagen	The municipalities are responsible for approval. The relevant application forms can be downloaded from the websites. The application forms also contain information on the documents to be submitted with the application.
Voraussetzungen	The requirements for submitting an application are regulated in the statutes of the respective municipality. The requirements for approval essentially depend on the scope and duration of the intended use. The city of Frankfurt a. M. states the following requirements for approval in its information sheet on the vacation apartment statutes: • If an entire apartment is to be used permanently as a vacation apartment or for tourist accommodation and will therefore no longer be available to the housing market, approval is generally only possible against the

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	creation of corresponding replacement living space or, in individual cases, against payment of a one-off compensation payment, which is to be used for the creation of new living space for a specific purpose. The amount of the compensation payment is determined by the average costs for the creation of publicly subsidized housing. • If, on the other hand, only one room of an apartment or the entire apartment is temporarily let for the above-mentioned purposes, no compensation payment is required. However, the prerequisite for approval in this case is that the residential use is maintained by the main user in the sense of so-called home sharing and that he/she is resident there. The statutes define short-term use as a period of up to eight weeks per calendar year. In exceptional cases, permission may be granted for temporary use for longer than eight weeks in return for a monthly compensation payment. In this case, the amount of the compensation payment is based on the local comparative rent for the corresponding living space.
Kosten	The charging of administrative fees is governed by the respective municipal statutes on the charging of administrative costs.
Verfahrensablauf	Approval requires an application to the responsible municipality.
Bearbeitungsdauer	The processing time depends on the workload in the respective municipality.
Frist	There is no deadline.
weiterführende Informationen	https://wirtschaft.hessen.de/Wohnungsaufsicht https://wirtschaft.hessen.de/Wohnungsaufsicht
Hinweise	
Rechtsbehelf	Contradiction
Kurztext	- Misappropriation of living space Permit - Municipalities with tight housing markets can stipulate by statute that living space may only be used as a

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	vacation apartment with permission - Corresponding vacation apartment statutes are in force in the cities of Darmstadt, Frankfurt am Main, Maintal and Neu-Isenburg - Responsible: These cities (see above) are also responsible for approval
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Applying for permission to use an apartment as a vacation home, Genehmigung zur Nutzung einer Wohnung als Ferienwohnung beantragen