

99043016060000, 99043016060000

# Apply for registration of a compulsory mortgage in the land register

Heruntergeladen am 24.06.2025

<https://fimportal.de/xzufi-services/390880127/L100008>

| Modul                     | Sachverhalt                                                          |
|---------------------------|----------------------------------------------------------------------|
| Leistungsschlüssel        | 99043016060000, 99043016060000                                       |
| Leistungsbezeichnung I    | Apply for registration of a compulsory mortgage in the land register |
| Leistungsbezeichnung II   |                                                                      |
| Typisierung               | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug               |
| Quellredaktion            | Sachsen-Anhalt                                                       |
| Freigabestatus Katalog    | unbestimmter Freigabestatus                                          |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus                                          |
| Begriffe im Kontext       |                                                                      |
| Leistungstyp              | Leistungsobjekt mit Verrichtung                                      |
| Leistungsgruppierung      | Grundbuch (043)                                                      |
| Verrichtungskennung       | Eintragung (060)                                                     |
| SDG-Informationsbereich   | Kauf und Verkauf von Immobilien, einschließlich aller                |

| Modul                         | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | Bedingungen und Pflichten im Zusammenhang mit der Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Lagen Portalverbund           | Hausbau und Immobilienerwerb (1050100), Kauf, Miete und Pacht (2050100)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Einheitlicher Ansprechpartner | Nein                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Fachlich freigegeben am       | 16.11.2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Fachlich freigegeben durch    | Ministry of Justice Mecklenburg-Vorpommern                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Handlungsgrundlage            | <a href="https://www.gesetze-im-internet.de/zpo/_867.html">https://www.gesetze-im-internet.de/zpo/_867.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_720a.html">https://www.gesetze-im-internet.de/zpo/_720a.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_724.html">https://www.gesetze-im-internet.de/zpo/_724.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_725.html">https://www.gesetze-im-internet.de/zpo/_725.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_750.html">https://www.gesetze-im-internet.de/zpo/_750.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_751.html">https://www.gesetze-im-internet.de/zpo/_751.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_765.html">https://www.gesetze-im-internet.de/zpo/_765.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_866.html">https://www.gesetze-im-internet.de/zpo/_866.html</a><br><a href="https://www.gesetze-im-internet.de/gbo/_39.html">https://www.gesetze-im-internet.de/gbo/_39.html</a><br><a href="https://www.gesetze-im-internet.de/gbo/_47.html">https://www.gesetze-im-internet.de/gbo/_47.html</a><br><a href="https://www.gesetze-im-internet.de/gbo/_13.html">https://www.gesetze-im-internet.de/gbo/_13.html</a><br><a href="https://www.gesetze-im-internet.de/gnotkg/_34.html">https://www.gesetze-im-internet.de/gnotkg/_34.html</a><br><a href="https://www.gesetze-im-internet.de/gnotkg/anlage_1.html">https://www.gesetze-im-internet.de/gnotkg/anlage_1.html</a><br><a href="https://www.gesetze-im-internet.de/gnotkg/anlage_2.html">https://www.gesetze-im-internet.de/gnotkg/anlage_2.html</a><br><a href="https://www.gesetze-im-internet.de/bgb/_428.html">https://www.gesetze-im-internet.de/bgb/_428.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_867.html">https://www.gesetze-im-internet.de/zpo/_867.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_720a.html">https://www.gesetze-im-internet.de/zpo/_720a.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_724.html">https://www.gesetze-im-internet.de/zpo/_724.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_725.html">https://www.gesetze-im-internet.de/zpo/_725.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_750.html">https://www.gesetze-im-internet.de/zpo/_750.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_751.html">https://www.gesetze-im-internet.de/zpo/_751.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_765.html">https://www.gesetze-im-internet.de/zpo/_765.html</a><br><a href="https://www.gesetze-im-internet.de/zpo/_866.html">https://www.gesetze-im-internet.de/zpo/_866.html</a><br><a href="https://www.gesetze-im-internet.de/gbo/_39.html">https://www.gesetze-im-internet.de/gbo/_39.html</a><br><a href="https://www.gesetze-im-internet.de/gbo/_47.html">https://www.gesetze-im-internet.de/gbo/_47.html</a><br><a href="https://www.gesetze-im-internet.de/gbo/_13.html">https://www.gesetze-im-internet.de/gbo/_13.html</a><br><a href="https://www.gesetze-im-internet.de/gnotkg/_34.html">https://www.gesetze-im-internet.de/gnotkg/_34.html</a><br><a href="https://www.gesetze-im-internet.de/gnotkg/anlage_1.html">https://www.gesetze-im-internet.de/gnotkg/anlage_1.html</a><br><a href="https://www.gesetze-im-internet.de/gnotkg/anlage_2.html">https://www.gesetze-im-internet.de/gnotkg/anlage_2.html</a> |

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|                          | <p>ml</p> <p><a href="https://www.gesetze-im-internet.de/bgb/_428.html">https://www.gesetze-im-internet.de/bgb/_428.html</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Teaser                   | <p>If you have a pecuniary claim from a judgment or other enforceable title, you can also enforce it in the debtor's property (e.B. land).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Volltext                 | <p>If you have a pecuniary claim from a judgment or other enforceable title, you can also enforce it in the debtor's property (e.B. land). To do this, you must first apply for the registration of a compulsory security mortgage. If there is a foreclosure auction, you secure a ranking position for your claim against other entitled parties.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Erforderliche Unterlagen | <p>Written request</p> <p>Your application must contain the following information:</p> <ul style="list-style-type: none"> <li>• Land name (land register or location designation)</li> <li>• Personal details (name, address or company and registered office, date of birth)</li> <li>• in the case of several creditors, the joint relationship (e.B. in fractions of 1/2 or joint creditors in accordance with § 428 BGB)</li> <li>• Information about the debtor (name, address or company and registered office)</li> </ul> <p>Executory title</p> <p>Attach to the application:</p> <ul style="list-style-type: none"> <li>• the enforceable copy or the enforcement order in the original</li> <li>• a simple or certified copy of the title is not sufficient</li> </ul> <p>You will receive the documents back after registration.</p> <p>Statement of receivables Please make a list of all claims you want to assert. The list must also include payments already made by the debtor. For any interest, you must specify the interest rate and the start of interest. The interest is not to be calculated. If you claim enforcement costs, you must submit the supporting documents.</p> |

## Modul

## Sachverhalt

### Voraussetzungen

#### Application

The compulsory security mortgage is only entered on request.

#### Minimum amount of the claim

over 750,09 EUR. Enforcement may result from several enforceable titles, e.B. from a judgment and a decision to determine costs. Enforcement costs incurred so far can be added.

#### Pre-registration

The debtor must be registered as the owner or co-owner in the land register.

#### Executory title

This refers to a court decision (e.B judgments, orders, enforcement orders) or a declaration that has an enforceable content (e.B. settlements and notarial deeds).

#### Enforcement clause

The enforcement clause is a text required by law on the enforceable title and reads, for example: "The above copy shall be issued to the plaintiff for the purpose of enforcement." As a rule, this text may only be affixed by the body that issued the enforceable title, i.e. in most cases the court (so-called enforceable copy). Enforcement orders do not require such a clause.

#### Delivery

The enforceable title must be served on the debtor before the start of enforcement. Note: Many judgments and orders must be served by the court without an application. The enforcement clause therefore also certifies service. You must order the service of other enforceable titles yourself. To do so, please contact the distribution point for bailiff orders of the competent

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|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                              | <p>district court at the debtor's place of residence.</p> <p>Maturity</p> <p>In individual cases (e.B. in the case of cost determination decisions and notarial deeds), you may only begin enforcement if two weeks have passed since service on the debtor.</p> <p>No further grounds for enforcement For example.B, no note on the opening of insolvency proceedings may be entered in the land register.</p> |
| Kosten                       | Full fee from the right to be entered, i.e. the claim asserted in total. The amount of the fee results from § 34 GNotKG (Table B) and the associated Annex 2.                                                                                                                                                                                                                                                   |
| Verfahrensablauf             | The registration takes place in the context of the enforcement proceedings and thus - also - against the will of the debtor.                                                                                                                                                                                                                                                                                    |
| Bearbeitungsdauer            |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Frist                        |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| weiterführende Informationen |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Hinweise                     |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Rechtsbehelf                 |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Kurztext                     | Entering a compulsory mortgage                                                                                                                                                                                                                                                                                                                                                                                  |
| Ansprechpunkt                | Contact the land registry office of the district court, where the land register for the debtor's property is kept.                                                                                                                                                                                                                                                                                              |
| Zuständige Stelle            |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Formulare                    |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Ursprungsportal              | Eintragung einer Zwangshypothek in das Grundbuch beantragen, Apply for registration of a compulsory mortgage in the land register                                                                                                                                                                                                                                                                               |