

99043014254000, 99043014254000

Have a land register created

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/232494249/L100039>

| Modul | Sachverhalt |
|---------------------------|---|
| Leistungsschlüssel | 99043014254000, 99043014254000 |
| Leistungsbezeichnung I | Have a land register created |
| Leistungsbezeichnung II | Have a land register created |
| Typisierung | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion | Rheinland-Pfalz |
| Freigabestatus Katalog | fachlich freigegeben (gold) |
| Freigabestatus Bibliothek | fachlich freigegeben (silber) |
| Begriffe im Kontext | |
| Leistungstyp | Leistungsobjekt mit Verrichtung |
| Leistungsgruppierung | Grundbuch (043) |
| Verrichtungskennung | Anlegung (254) |
| SDG-Informationsbereich | Vorübergehender oder dauerhafter Umzug in einen anderen Mitgliedstaat |
| Lagen Portalverbund | Hausbau und Immobilienerwerb (1050100), Kauf, Miete und Pacht (2050100) |
| Einheitlicher | |

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| Ansprechpartner | Nein |
| Fachlich freigegeben am | 19.11.2020 |
| Fachlich freigegeben durch | Ministry of Justice Mecklenburg-Western Pomerania |
| Handlungsgrundlage | https://www.gesetze-im-internet.de/woeigg/_7.html https://www.gesetze-im-internet.de/woeigg/_8.html https://www.gesetze-im-internet.de/woeigg/_2.html https://www.gesetze-im-internet.de/woeigg/_3.html https://www.gesetze-im-internet.de/woeigg/_4.html https://www.gesetze-im-internet.de/gbo/_13.html https://www.gesetze-im-internet.de/gbo/_19.html https://www.gesetze-im-internet.de/gbo/_29.html https://www.gesetze-im-internet.de/gnotkg/anlage_1.html https://www.gesetze-im-internet.de/woeigg/_7.html https://www.gesetze-im-internet.de/woeigg/_8.html https://www.gesetze-im-internet.de/woeigg/_2.html https://www.gesetze-im-internet.de/woeigg/_3.html https://www.gesetze-im-internet.de/woeigg/_4.html https://www.gesetze-im-internet.de/gbo/_13.html https://www.gesetze-im-internet.de/gbo/_19.html https://www.gesetze-im-internet.de/gbo/_29.html https://www.gesetze-im-internet.de/gnotkg/anlage_1.html |
| Teaser | Condominium ownership is the ownership of an apartment in conjunction with the co-ownership share in the common property. |
| Volltext | <p>Condominium ownership is the ownership (special ownership; also called room ownership) of an apartment in connection with the co-ownership share in the common property (land and the building, unless they are in special ownership or owned by a third party).</p> <p>If you wish to establish condominium ownership, this must be entered in the land register. Land registers are created for this purpose. Before this can take place, however, you must first create the conditions for condominium ownership. This can be done in two ways:</p> |

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- If you are a co-owner of a property, this requires a notarized division agreement between all co-owners in accordance with Section 3 WEG. In doing so, you reach an agreement with all co-owners and grant each other condominium ownership through division. Each of you then receives ownership (special ownership; also known as room ownership) of a specific apartment in a building already constructed or yet to be constructed on the property.
- If you are the sole owner of a property, you can divide it in accordance with Section 8 WEG by means of a notarized declaration. With the declaration that you submit to the land registry, you divide the ownership of the property (so-called declaration of division). You link each share to the ownership (special ownership; also known as room ownership) of an existing or future apartment. You also allocate a fractional co-ownership share in the property to each share.
- The entry in the land register is made by the responsible land registry office by creating the residential land registers. This means that a separate, special land register sheet is created for each apartment. This means that a condominium can be sold, encumbered with mortgages or other rights or inherited just like any other property. The previous land register sheet for the property is closed.

Erforderliche Unterlagen

- Written application for registration
- Registration permit
- Allocation plan (building drawing signed and sealed or stamped by the building authority, showing the division of the building and the location and size of the parts of the building in separate ownership and those in common ownership)
- Completion certificate (certificate from the responsible building authority that the rooms in which separate ownership is to be established are self-contained)
- Possibly the clearance certificate from the tax office (you can obtain more information on this from the notary acting in your case)
- Notarized declaration of division or notarized contract on the agreement of all co-owners

Voraussetzungen

To establish condominium ownership, an application

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for entry must be made by you or the certifying notary. The land registers are created when all the necessary documents have been submitted in the correct form and there are no obstacles to registration.

Kosten

(as of November 2020)

min. EUR 15 - max. EUR 26,585 (with a maximum transaction value of EUR 60,000,000): A full fee is charged by the land registry for the registration of the contractual granting of ownership of an apartment (Sections 3, 7 WEG) or for the creation of the land register of apartments in the case of Section 8 WEG. The actual amount of the fee depends on the value of the transaction. The transaction value is the value of the developed property. This also applies to a building yet to be erected.

In addition to the costs for the work of the land registry, costs are also incurred for the work of the notary in accordance with the German Court and Notary Costs Act (GNotKG). Please ask the notary working on your case for the amount of the notary fees. You can also find information and examples of notarial costs on the website of the Federal Chamber of Notaries (link see further information).

Verfahrensablauf

You must apply for the entry at the land registry. As a rule, the notary who notarized or certified the partition agreement or declaration of partition will arrange for the entry.

- The documents required for registration are checked by the responsible judicial officer at the land registry.
- If the documents are not complete or not in the correct form, the competent judicial officer will inform the notary or you in writing and submit them to the land registry. inform you of this in writing and request that you submit the missing documents or documents in the correct form (to be notarized or authenticated).
- Once all the necessary documents have been submitted, the responsible judicial officer will create the part-ownership land registers. The following are entered in these special land register sheets - the fraction of co-ownership of the property - the property

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belonging to the co-ownership share (special ownership)

- The notary submitting the application and you will be notified of the entry with the registration notification.
- The invoice from the land registry will be sent to you for payment of the costs.

Bearbeitungsdauer

individually, depending on the encumbrance situation of the responsible land registry and the time at which all required documents are submitted to the land registry in the correct form

Frist

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

- Creation of the land register
- Creation is carried out by the land registry
- all requirements must be met
- all required documents must be submitted to the land registry in the correct form
- There must be no obstacles to registration
- Responsible: Land registry office at the local court in whose jurisdiction the property is located

Ansprechpunkt

The land registry office of the local court in whose jurisdiction the property is located is responsible. You can find the competent land registry office in the address database of the Germany-wide location and court search on the North Rhine-Westphalia justice portal (see link for further information).

Zuständige Stelle

The land registry office of the local court in whose jurisdiction the property is located is responsible. You can find the competent land registry office in the address database of the Germany-wide location and court search on the North Rhine-Westphalia justice portal (see link for further information).

Formulare

Ursprungsportal

Wohnungsgrundbuch anlegen lassen, Have a land

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