

99012088261001, 99012088261001

# Submitting a declaration of commitment to assume a building obligation

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/268331484/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99012088261001, 99012088261001
Leistungsbezeichnung I	Submitting a declaration of commitment to assume a building obligation
Leistungsbezeichnung II	Submitting a declaration of commitment to assume a building obligation
Typisierung	4 - Land: Regelung
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Baurecht (012)
Verrichtungskennung	Entgegennahme (261)
SDG-Informationsbereich	Kauf und Verkauf von Immobilien, einschließlich aller

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	Bedingungen und Pflichten im Zusammenhang mit der Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)
Lagen Portalverbund	Hausbau und Immobilienerwerb (1050100), Bauverfahren (2050500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	25.09.2023
Fachlich freigegeben durch	Ministry of Finance Rhineland-Palatinate
Handlungsgrundlage	<a href="https://www.landesrecht.rlp.de/bsrp/document/jlr-BauORPV25P86">https://www.landesrecht.rlp.de/bsrp/document/jlr-BauORPV25P86</a> <a href="https://landesrecht.rlp.de/bsrp/document/jlr-BauUntPr%C3%BCfVRPV2P2/part/S">https://landesrecht.rlp.de/bsrp/document/jlr-BauUntPr%C3%BCfVRPV2P2/part/S</a> <a href="https://landesrecht.rlp.de/bsrp/document/VVRP-VVRP00000122/part/F">https://landesrecht.rlp.de/bsrp/document/VVRP-VVRP00000122/part/F</a> <a href="https://www.landesrecht.rlp.de/bsrp/document/jlr-BauORPV25P86">https://www.landesrecht.rlp.de/bsrp/document/jlr-BauORPV25P86</a> <a href="https://landesrecht.rlp.de/bsrp/document/jlr-BauUntPr%C3%BCfVRPV2P2/part/S">https://landesrecht.rlp.de/bsrp/document/jlr-BauUntPr%C3%BCfVRPV2P2/part/S</a> <a href="https://landesrecht.rlp.de/bsrp/document/VVRP-VVRP00000122/part/F">https://landesrecht.rlp.de/bsrp/document/VVRP-VVRP00000122/part/F</a>
Teaser	Would you like to have a building encumbrance entered in the register of building encumbrances? Then you must apply to the relevant authority.
Volltext	<p>As a property owner, you can declare to the building supervisory authority that you accept obligations under public law that affect your property. The obligations may not already arise from public building law. The assumption of this so-called building obligation is intended to remove obstacles that could prevent development or change of use in individual cases. An example of this is the parking space building obligation, which, under certain conditions, can be used to ensure under public law that the required parking spaces are created on another property within a reasonable distance.</p> <p>The building encumbrances become effective upon entry in the register of building encumbrances.</p>

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	Building encumbrances also remain in place if you sell the property. They are then transferred to the buyer.
Erforderliche Unterlagen	<p>You must provide proof of ownership in the form of extracts from the land register (residential land register, hereditary land register). You must have the land register extracts notarized. They must not be older than one month.</p> <p>The declaration of commitment must clearly identify the content of the public obligation assumed. If the building obligation cannot be clearly determined by text alone, a certified extract from the cadastral map must be attached to the declaration of obligation; instead of this, a certified extract from the city map or a site plan as defined in Section 2 (1) and (2) of the State Ordinance on Building Documents and Building Inspection (BauuntPrüfVO) can also be used. In the case of special land, building and boundary conditions, the building supervisory authority may request a site plan in accordance with § 2 Para. 3 BauuntPrüfVO. The areas affected by the building obligation must be marked by the land registry office, a publicly appointed surveyor or a surveying office in the extract from the cadastral map, the extract from the urban land map or the site plan</p>
Voraussetzungen	<p>The requirements are set out in particular in No. 1.2 of the administrative regulation "Establishment and maintenance of the register of building encumbrances, proof of building encumbrances in the real estate cadastre (to § 86 LBauO)".</p> <p><a href="https://landesrecht.rlp.de/bsrp/document/VVRP-VVRP00000122/part/F">https://landesrecht.rlp.de/bsrp/document/VVRP-VVRP00000122/part/F</a></p> <p><a href="https://landesrecht.rlp.de/bsrp/document/VVRP-VVRP00000122/part/F">https://landesrecht.rlp.de/bsrp/document/VVRP-VVRP00000122/part/F</a></p>
Kosten	The registration of a building charge is subject to a fee. The amount of the fee is set out in the State Ordinance on Fees and Remuneration for Official Acts and Services under Building Regulations Law (Special List of Fees).
Verfahrensablauf	The registration of a building obligation must be applied for at the local building supervisory authority.

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	A building obligation is assumed by a written declaration from the owner to the building supervisory authority. The signature must be publicly certified or made before the building supervisory authority or recognized by it.
Bearbeitungsdauer	
Frist	Registration is usually closely linked to a specific construction project. There are no time limits for the registration procedure.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	For disputes in connection with building charges, you can usually file an objection and then take legal action.
Kurztext	<ul style="list-style-type: none"> <li>• Building obligation - Declaration of obligation to assume (declaration of assumption) Acceptance from the property owner</li> <li>• Property owners can declare to the building supervisory authority that they will assume public-law obligations relating to their property.</li> <li>• Documents required: Certified excerpts from the land register (residential land register, hereditary building land register) that are not older than one month The declaration of commitment must clearly state the content of the public obligation assumed</li> <li>• Fees will be charged.</li> <li>• There is no specific deadline.</li> <li>• Responsible: Lower building supervisory authority</li> </ul>
Ansprechpunkt	
Zuständige Stelle	<p>The lower building supervisory authority is responsible for registering a building charge. This is the district administration, in independent and large towns belonging to the district, the municipal administration or the association municipality administration if it has been assigned building supervision tasks (Diez and Konz association municipality administrations).</p> <p><a href="https://fm.rlp.de/themen/baurecht-und-bautechnik/baueaufsicht">https://fm.rlp.de/themen/baurecht-und-bautechnik/baueaufsicht</a></p>

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Formulare	There is no nationally introduced form. If necessary, the local building supervisory authorities may have forms available to help you with your application.
Ursprungsportal	Submitting a declaration of commitment to assume a building obligation, Verpflichtungserklärung zur Übernahme einer Baulast abgeben