

99012087023002, 99012087023002

# Building encumbrances: Entry - in the register of building encumbrances

Heruntergeladen am 25.06.2025

<https://fimportal.de/xzufi-services/8664289/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99012087023002, 99012087023002
Leistungsbezeichnung I	Building encumbrances: Entry - in the register of building encumbrances
Leistungsbezeichnung II	
Typisierung	4 - Land: Regelung
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	

Modul	Sachverhalt
Lagen Portalverbund	Hausbau und Immobilienerwerb (1050100), Bauverfahren (2050500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	11.12.2007
Fachlich freigegeben durch	
Handlungsgrundlage	<a href="https://voris.wolterskluwer-online.de/browse/document/cite/102e3c10-c202-3644-a645-fbdef33f301f">https://voris.wolterskluwer-online.de/browse/document/cite/102e3c10-c202-3644-a645-fbdef33f301f</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/340e21da-76a6-3537-8f6b-8cb7dc4edb3a">https://voris.wolterskluwer-online.de/browse/document/cite/340e21da-76a6-3537-8f6b-8cb7dc4edb3a</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/102e3c10-c202-3644-a645-fbdef33f301f">https://voris.wolterskluwer-online.de/browse/document/cite/102e3c10-c202-3644-a645-fbdef33f301f</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/340e21da-76a6-3537-8f6b-8cb7dc4edb3a">https://voris.wolterskluwer-online.de/browse/document/cite/340e21da-76a6-3537-8f6b-8cb7dc4edb3a</a>
Teaser	
Volltext	<p>Building encumbrances: Building encumbrances are obligations under public law on the part of property owners to act, tolerate or refrain from doing their land that do not already result from public law provisions. This makes it possible to expand the construction or use of another property.</p> <p>The building encumbrances will be assumed by written declaration to the building supervisory authority. The signature must be publicly certified or made or recognized by a surveying body or before the building supervisory authority. Public certification can also be carried out by the municipalities.</p> <p>Without prejudice to the rights of third parties, the building encumbrances become effective upon entry in the register of building encumbrances. Building encumbrances remain in place even if the property is sold, so they also have an effect on legal successors.</p> <p>The construction burden is lost by written waiver by the building supervisory authority. The waiver must be declared if there is no longer a public or private interest in the construction burden. Before the waiver, the obligated party and the beneficiaries of the</p>

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construction burden should be heard. The waiver becomes effective with the deletion of the building encumbrance in the list of building encumbrances.

List of encumbrances: The register of building encumbrances is kept by the building supervisory authority. Other obligations of the property owner under building law to act, tolerate or refrain from doing his or her property as well as conditions, time limits and reservations of revocation may also be entered in the list of building encumbrances.

Anyone who demonstrates a legitimate interest can inspect the list of building encumbrances and obtain extracts.

**Erforderliche Unterlagen**

- Owner's declaration of encumbrances
- Proof of ownership of the property to be encumbered (current land register excerpt)
- Site plan

**Voraussetzungen**
**Kosten**

The registration and deletion of a building encumbrance as well as other entries in the register of building encumbrances are subject to a fee, as is the issuance of excerpts. The amount of the fee is determined in accordance with the Construction Fee Regulations (BauGO).

**Verfahrensablauf**
**Bearbeitungsdauer**
**Frist**
**weiterführende Informationen**
**Hinweise**
**Rechtsbehelf**
**Kurztext**

- Building encumbrances: Entry - in the register of building encumbrances
- The responsibility lies with the district, the independent city, the large independent city and the

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	municipality with building supervisory powers.
Ansprechpunkt	The responsibility lies with the district, the independent city, the large independent city and the municipality with building supervisory powers.
Zuständige Stelle	
Formulare	
Ursprungsportal	Baulasten: Eintragung - in das Baulastenverzeichnis, Building encumbrances: Entry - in the register of building encumbrances