

99050013001000, 99050013001000

# Brokerage activities - Permit

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/8960185/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99050013001000, 99050013001000
Leistungsbezeichnung I	Brokerage activities - Permit
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Befähigungs- und Sachkundenachweise (2010200), Erlaubnisse und Genehmigungen (2010400)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.09.2021
Fachlich freigegeben durch	Federal Ministry for Economic Affairs and Energy
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/gewo/_34c.html">https://www.gesetze-im-internet.de/gewo/_34c.html</a> <a href="https://www.gesetze-im-internet.de/gewo_34cdv/">https://www.gesetze-im-internet.de/gewo_34cdv/</a> <a href="https://www.gesetze-im-internet.de/gewo/_34c.html">https://www.gesetze-im-internet.de/gewo/_34c.html</a> <a href="https://www.gesetze-im-internet.de/gewo_34cdv/">https://www.gesetze-im-internet.de/gewo_34cdv/</a>
Teaser	<p>Would you like to broker real estate or loan agreements on a commercial basis? You need an official permit for this. This also applies if you want to manage residential properties or prepare and carry out construction projects on a commercial basis.</p>
Volltext	<p>You require a license if you wish to offer the following on a commercial basis:</p> <ul style="list-style-type: none"> <li>• Real estate brokerage (real estate agents),</li> <li>• Brokerage of loan agreements (except real estate loans for consumers),</li> <li>• Management of residential real estate (residential real estate managers) or</li> <li>• Preparation or implementation of construction projects in your own name or in the name of a third party (property developer, building supervisor)</li> </ul> <p>Depending on which license you apply for, you are entitled to carry out the following activities, for example</p> <ul style="list-style-type: none"> <li>• Brokering real estate and rights equivalent to real estate, as well as brokering the sale, encumbrance, letting or leasing of real estate</li> <li>• Brokerage of residential property and contracts for mortgages and land charges,</li> <li>• Brokerage of commercial premises and residential premises, i.e. all types of room rentals including leases and subleases, i.e. also apartment and room brokerage.</li> </ul>

## Modul

## Sachverhalt

- Brokerage of loans (except real estate financing for consumers)
- Planning or implementation of construction projects using third-party assets, for example with assets of tenants, leaseholders, other beneficiaries or persons applying for acquisition or usage rights. It makes no difference here whether you act in your own name (property developer) or whether you act on behalf of third parties (building supervisor). The following activities are possible, for example: Submitting building applications, commissioning architects and craftsmen, procuring and calling up financing, taking out insurance, calculating future rents.
- Management of rented apartments or the joint residential property of several people. You are an administrator, for example, if you
  - implement resolutions of the apartment owners and ensure that the house rules are enforced;
  - take the measures necessary for the proper maintenance and repair of the common property;
  - arrange for and receive all payments and services associated with the ongoing management of the common property;
  - manage the monies collected.

For the brokerage of real estate consumer loan agreements, you require a different, separate license under trade law.

## Erforderliche Unterlagen

- Copy of identity card or passport with registration certificate or presentation on site.
- Proof of orderly financial circumstances
  - if resident in Germany, usually:
    - Extract from the debtor register
    - Certificate from the insolvency court
    - Certificate in tax matters (from the tax office)
  - If you live abroad: documents from your home country that prove your orderly financial circumstances
- Proof of the legal form of the company:
  - for companies based in Germany: for companies entered in a register: Extract from the commercial register or the partnership register or the register of cooperatives

## Modul

## Sachverhalt

- for companies domiciled abroad: documents from the country of domicile proving the legal form
- Proof of personal reliability:
  - if domiciled in Germany:
    - Certificate of good conduct for submission to an authority
    - Extract from the central trade register for submission to an authority
  - if you live abroad: documents from your country of residence that prove your personal reliability

The competent authority may request further documents to verify your personal reliability. In the case of legal entities such as a limited liability company, you must submit the personal documents for all natural persons authorized to manage the company (e.g. identity papers) or apply for them (e.g. extract from the central trade register for submission to an authority). For legal entities, you also need an excerpt from the central trade register for submission to an authority. Partnerships such as a GbR, KG, OHG, PartG or GmbH & Co KG are not eligible for a license as such. Therefore, each managing partner requires a permit. Submit a completed application form and all personal documents for each of these persons. If you wish to work as a residential property manager, you must submit proof of the professional liability insurance required by law.

## Voraussetzungen

- You have the reliability required for commercial operations. As a rule, you do not have this if you have been convicted of a crime or a (legally specified) property offense within the last 5 years.
- You live in orderly financial circumstances: No insolvency proceedings have been opened against your assets or dismissed for lack of assets.
- If you wish to work as a residential property manager, you need professional liability insurance of at least EUR 500,000 for each insured event and EUR 1,000,000 for all insured events in a year.

## Kosten

Modul	Sachverhalt
Verfahrensablauf	
Bearbeitungsdauer	
Frist	<p>You must have the permit before you start operating. You should therefore submit the application in good time, i.e. a few weeks before you intend to start operating. For the activity as • Real estate agent, • property developer • Building supervisor • Residential property manager The license is deemed to have been granted if the authority has not made a decision on your application within 3 months of receiving the complete documentation. At the same time, you must notify the authority responsible for business registrations of the start of your activity.</p>
weiterführende Informationen	
Hinweise	<p>Real estate agents and residential property managers, as well as their staff, are obliged to undergo regular further training in line with their activities.</p>
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> <li>• Trade of brokers, investment advisors, property developers, residential property managers and construction supervisors Permit</li> <li>• The following commercial activities require a license:               <ul style="list-style-type: none"> <li>• Brokerage of loan agreements                   <ul style="list-style-type: none"> <li>• A different, separate commercial license is required for the brokerage of real estate consumer loan agreements.</li> </ul> </li> <li>• Activity as a real estate agent</li> <li>• Management of residential real estate (residential real estate manager)                   <ul style="list-style-type: none"> <li>• Preparation or implementation of construction projects in your own name or in the name of a third party (property developer, construction supervisor)</li> </ul> </li> <li>• Permission can be restricted in terms of content or linked to conditions.</li> <li>• Responsible: depends on the respective state law</li> </ul> </li> </ul>
Ansprechpunkt	<p>To the magistrates in the independent cities and to the district committees in the rural districts.</p>

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	<p>You can also handle the procedure electronically via the Single Point of Contact:  <a href="https://eah.hessen.de/">https://eah.hessen.de/</a>  <a href="https://eah.hessen.de/">https://eah.hessen.de/</a></p>
Zuständige Stelle	
Formulare	
Ursprungsportal	Brokerage activities - Permit, Maklertätigkeiten - Erlaubnis