

99043015254000, 99043015254000

Have a partial ownership land register created

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/392015740/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99043015254000, 99043015254000
Leistungsbezeichnung I	Have a partial ownership land register created
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	Anlegung (254)
SDG-Informationsbereich	Kauf und Verkauf von Immobilien, einschließlich aller Bedingungen und Pflichten im Zusammenhang mit der Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)

Modul	Sachverhalt
Lagen Portalverbund	Hausbau und Immobilienerwerb (1050100), Kauf, Miete und Pacht (2050100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	19.11.2020
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Vorpommern
Handlungsgrundlage	https://www.gesetze-im-internet.de/woeigg/_1.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/woeigg/_8.html https://www.gesetze-im-internet.de/woeigg/_7.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/_1.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/woeigg/_8.html https://www.gesetze-im-internet.de/woeigg/_7.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	Partial ownership is the ownership of non-residential rooms of a building in conjunction with the co-ownership share of the common property.
Volltext	Partial ownership is the ownership (special property; also called spatial ownership) of rooms of a building that are not used for residential purposes in connection with the co-ownership share of the common property (land and the building, insofar as they are not in special ownership or in the property of a third party). Non-residential rooms are, for example, shops, doctors' surgeries or cafés. If you want to establish partial ownership, you must be entered in the land register. For this purpose, partial ownership land registers are created. Before this can be done,

Modul

Sachverhalt

however, you must first create the conditions for partial ownership. This can be done in two ways:

- If you are a co-owner of a property, a notarized partition agreement of all co-owners in accordance with § 3 WEG is required for this. In doing so, you agree with all co-owners and grant each other partial ownership by dividing. Each of you then receives the ownership (partial ownership, special property; also called room ownership) of rooms not used for residential purposes in a building already built or to be built on the property.
- You can make a division according to § 8 WEG by means of a notarized declaration if you are the sole owner of a property. With the declaration you make to the land registry office, you divide the ownership of the property (so-called declaration of division). You associate each share with the ownership (special property; also called room ownership) of already existing or future non-residential rooms. In addition, you assign each share a fraction of the co-ownership share of the property.
- The entry in the land register is carried out by creating the partial ownership land registers by the responsible land registry office. This means that a separate, special land register sheet is created for each room unit. As a result, a partial ownership unit can be sold like any other property, encumbered with liens or other rights or inherited. The previous land register sheet for the property will be closed.

Erforderliche Unterlagen

- written application for registration
- Registration permit
- Distribution plan (construction drawing signed and sealed or stamped by the building authority, showing the division of the building as well as the location and size of the parts of the building owned by the special property and the parts of the building in the community)
- Certificate of completion (certificate from the competent building authority that the rooms on which special ownership is to be established are self-contained)
- possibly the clearance certificate from the tax office (you can get more information about this from the

Modul	Sachverhalt
	<p>notary working in your case or .dem notary working in your case)</p> <ul style="list-style-type: none"> • notarized declaration of division or notarized contract for the agreement of all co-owners
Voraussetzungen	<p>For the establishment of partial ownership, an application for registration must be made by you or the notary notary. The partial property registers are created if all necessary documents have been submitted in due form and there are no grounds for refusal.</p>
Kosten	<p>(as of November 2020)</p> <p>min. EUR 15 – max. EUR 26,585 (with a maximum business value of EUR 60,000,000):</p> <p>For the registration of the contractual granting of ownership of rooms not used for residential purposes (§§ 3, 7 WEG) or for the creation of the partial ownership land registers in the case of § 8 WEG, a full fee is charged by the Land Registry Office. The specific fee amount depends on the business value. The business value is the value of the built-up land. This also applies to a building that is still to be built.</p> <p>In addition to the costs for the activity of the Land Registry Office, there are also costs for the activity of the notary in accordance with the Court and Notary Costs Act (GNotKG). Please ask the notary in your case for the amount of the notary's fees.dem from the notary working in your case. Information and examples of notary costs can also be found on the website of the Federal Chamber of Notaries (see link for further information).</p>
Verfahrensablauf	<p>You must apply for registration at the Land Registry. As a rule, the notary who has notarised or certified the partition agreement or declaration of division initiates the registration.</p> <ul style="list-style-type: none"> • The documents required for registration are checked by the competent judicial officer at the land registry office. • If documents are not available in full or in due form,

Modul	Sachverhalt
	<p>the responsible registrar will inform the notary, the notary or inform you in writing and request the submission of the missing documents or the formal (notarized or to be notarized) documents.</p> <ul style="list-style-type: none"> • If all the necessary documents are available, the responsible rechtspflegerin or the responsible Rechtspfleger will create the partial property land registers. In these special land register sheets are entered - the fraction of the co-ownership of the property- the ownership belonging to the co-ownership share (special property) • The registration will be made known to the notary submitting the application and to you with the registration notification. • The invoice of the land registry office will be sent to you for payment of the costs.
Bearbeitungsdauer	individually, depending on the encumbrance situation of the responsible land registry office as well as the time when all necessary documents are formally available to the land registry office
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Partial Ownership Land Register Creation • Creation is carried out by the land registry office • all requirements must be met • all necessary documents must be submitted to the Land Registry in due form • Grounds for refusal must not exist • responsible: Land registry office at the district court in whose jurisdiction the property is located
Ansprechpunkt	Contact the Land Registry.
Zuständige Stelle	
Formulare	
Ursprungsportal	Teileigentumsgrundbuch anlegen lassen, Have a partial

Modul

Sachverhalt

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