

99043002062000, 99043002062000

Heritable building right: Apply for correction of the heritable building right holder in the land register

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/111323960/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99043002062000, 99043002062000
Leistungsbezeichnung I	Heritable building right: Apply for correction of the heritable building right holder in the land register
Leistungsbezeichnung II	Have the entry of the hereditary building owner corrected
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Grundbuch (043)
Verrichtungskennung	Berichtigung (062)

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SDG-Informationsbereich	Vorübergehender oder dauerhafter Umzug in einen anderen Mitgliedstaat
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	08.07.2021
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/gbo/_22.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/gbo/_22.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	You can apply to have the hereditary building land register corrected if there is an inaccuracy in the land register.
Volltext	<p>You can apply to have the hereditary building register corrected if there is an inaccuracy in the land register. This is the case if the person entitled to the heritable building right has changed and the true heritable building right holder is not yet apparent from the heritable building register, e.g. in the case of an inheritance. This does not include cases where there has merely been a change of name (e.g. due to marriage).</p> <p>Further documents must be submitted to the relevant land registry office with the application. If the land registry considers the land register inaccuracy to be proven, the land register entry will be corrected accordingly.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • written application for registration, if necessary in

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publicly notarized or publicly certified form, if the application also contains the consent of the true leaseholder (see below)

- Publicly notarized registration consent of the person wrongly registered as the person entitled to the heritable building right (so-called book beneficiary) or Proof of incorrectness by public or publicly notarized deed
- Publicly notarized or publicly certified consent of the true heritable building owner or the true heritable building owner to be registered or Proof of inaccuracy by public or publicly notarized deed or Application by an enforcement creditor who is the holder of an enforceable title against the true beneficiary, together with submission of the corresponding title and proof of the inaccuracy in the land register by public deed

Voraussetzungen

For the correction of the hereditary building register, an application for correction must be submitted by you or the certifying notary. The correction of the entry of the heritable building right holder will be made if all the necessary documents have been submitted in the correct form and there are no obstacles to entry.

Kosten

(as of November 2020)

min. EUR 15 - max. EUR 26,585 (with a maximum transaction value of EUR 60,000,000): The land registry generally charges a full fee for the corrective entry of a heritable building right holder or a heritable building right holder. The specific amount of the fee depends on the transaction value (value of the heritable building right).

However, the fee for registration is not charged if the heir or heirs of the registered hereditary building right holder submit the application for registration to the land registry within two years of the inheritance.

In addition to the costs for the work of the land registry, costs may also be incurred for the work of the notary in accordance with the German Court and Notary Fees Act (GNotKG). Please ask the notary working on your case for the amount of the notary fees. Information and examples of notary fees can also

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	be found on the website of the Federal Chamber of Notaries (link see further information).
Verfahrensablauf	<p>You must apply for the entry at the land registry. If the notary has to certify or notarize any registration documents for the entry of the correction, he or she will usually apply for the correction at the land registry.</p> <ul style="list-style-type: none"> • The documents required for registration are checked by the responsible judicial officer at the land registry. • If documents are not complete or not in the correct form, the competent judicial officer will inform the notary or you in writing and request the submission of the missing documents or documents in the correct form (publicly certified or notarized form). • If all the necessary documents have been submitted, the responsible judicial officer will make the correction to the land register entry. • The notary submitting the application and you will be notified of the completed entry with the registration notification. • You will generally receive an invoice from the land registry. However, the fee is waived in the case of an application for rectification by the heir(s) as described in more detail in the "Costs" module.
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	https://www.justizadressen.nrw.de/og.php https://www.gesetze-im-internet.de/aktuell.html https://www.notar.de/themen/notarkosten https://www.justizadressen.nrw.de/og.php https://www.gesetze-im-internet.de/aktuell.html https://www.notar.de/themen/notarkosten
Hinweise	
Rechtsbehelf	Appeal against decisions of the land registry pursuant to § 71 GBO
Kurztext	<ul style="list-style-type: none"> • Land register entry heritable building right correction

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- Correction of the heritable building right 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
- Responsible: Land registry office at the local court where the leasehold land register is kept

Ansprechpunkt

The land registry office of the local court where the heritable building land register is kept is responsible. You can find the responsible 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 where the heritable building land register is kept is responsible. You can find the responsible 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

Heritable building right: Apply for correction of the heritable building right holder in the land register, Erbbaurecht: Berichtigung des Erbbauberechtigten im Grundbuch beantragen