

99043015254000, 99043015254000

Create a partial property register

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/114011968/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99043015254000, 99043015254000
Leistungsbezeichnung I	Create a partial property register
Leistungsbezeichnung II	Create a partial property register
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	Anlegung (254)
SDG-Informationsbereich	Vorübergehender oder dauerhafter Umzug in einen anderen Mitgliedstaat
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	19.11.2020
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Vorpommern Ministry of Justice Mecklenburg-Western Pomerania
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 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 premises of a building in connection with the co-ownership of the joint property.
Volltext	Partial ownership is the property (special property; also called spatial property) in non-residential premises of a building in connection with the co-ownership of the common property (property and the building, insofar as they are not the property of a third party).

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Non-residential rooms include shops, doctor's offices or cafés. If you want to establish partial ownership, you need to be entered in the land register. For this purpose, partial property registers are created. Before this can be done, 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 notarised division contract of all co-owners in accordance with Section 3 WEG is required for this purpose. In doing so, you agree with all co-owners and grant each other partial ownership by division. Each of you will then receive the property (partial property, special property; also called room property) in non-residential premises in a building already built or to be built on the property.
- You can make a division according to Section 8 WEG by means of a notarised declaration if you are the sole owner of a property. With the declaration you make to the Land Registry, you divide the property (so-called division declaration). You combine each share with the property (special property; also called room property) in existing or future non-residential premises. You also assign to each share a co-ownership share of the property as a fraction.
- The registration in the land register is carried out by the creation of the partial property registers by the competent Land Registry. This means that a special land register is created for each unit of space. As a result, a partial ownership unit can be sold, loaded with liens or other rights like any other property. The previous land register for the property will be closed.

Erforderliche Unterlagen

- written application for registration
- Registration approval
- Partition 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 individually and collectively)
- certificate of self-containedness (certificate from the responsible building authority that the rooms in which condominium ownership is to be established are self-contained)

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	<ul style="list-style-type: none"> • Possibly the certificate of no objection from the tax office (you can obtain more information about this from the notary working in your case) • notarized declaration of partition or notarized contract on the agreement of all co-owners
Voraussetzungen	<p>In order to establish partial ownership, an application for registration by you or the notary or the notary who certifies must be made. The partial ownership land registers shall be drawn up if all the necessary documents have been submitted in accordance with the 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 transaction value of EUR 60,000,000):</p> <p>The land registry charges a full fee for the registration of the contractual granting of ownership of rooms not used for residential purposes (§§ 3, 7 WEG) or for the creation of partial ownership land registers in the case of § 8 WEG. The specific amount of the fee depends on the business value. The business value is the value of the developed property. This also applies in the case of a building that has yet to be erected.</p> <p>In addition to the costs for the activities of the land registry, costs are also incurred for the activities of the notary in accordance with the German Law on Court and Notary Costs (Gerichts- und Notarkostengesetz, GNotKG). Please ask the notary working in your case for the amount of the notary costs. You can also find information and examples of notary costs on the website of the Federal Chamber of Notaries (for link see further information).</p>
Verfahrensablauf	<p>You must apply for registration at the land registry. As a rule, the notary who notarized or certified the partition agreement or the declaration of partition arranges for the registration.</p> <ul style="list-style-type: none"> • The documents required for registration are checked by the responsible legal officer at the land registry. • If the documents are incomplete or not in the correct

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form, the responsible Rechtspfleger will inform the notary or you in writing and submit the documents to the land registry. you in writing and request you to submit the missing documents or documents in the correct form (to be certified or notarized).

- Once all the required documents have been submitted, the responsible legal officer will create the partial ownership land registers. The following shall be entered in these special land register sheets - the fraction of the co-ownership share in the land plot - the property belonging to the co-ownership share (special property)
- The notary submitting the application and you will be notified of the registration with the registration notice.
- The invoice of the land registry will be sent to you for payment of the costs.

Bearbeitungsdauer

individually, depending on the load situation of the competent Land Registry office and the time when all necessary documents are available to the Land Registry in accordance with the 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>
<https://www.justizadressen.nrw.de/og.php>
<https://www.gesetze-im-internet.de/aktuell.html>
<https://www.notar.de/themen/notarkosten>

Hinweise
Rechtsbehelf
Kurztext

- Partial property land register Creation
- The land registry office is set up
- all prerequisites must be met
- all necessary documents must be submitted to the Land Registry in accordance with the form
- Obstacles to refusal must not exist
- property registry office at the district court in whose jurisdiction the property is located

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Ansprechpunkt	The Land Registry Office of the District Court, in whose jurisdiction the property is located, is responsible. The responsible Land Registry office can be found on the address database of the Germany-wide local and court search on the north Rhine-Westphalia portal (see further information).
Zuständige Stelle	The land registry office of the local court in whose jurisdiction the property is located 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 (for link, see further information).
Formulare	
Ursprungsportal	Create a partial property register, Teileigentumsgrundbuch anlegen lassen, Have part ownership land register created