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Let the housing land register be created

Heruntergeladen am 14.06.2025

<https://fimportal.de/xzufi-services/114011971/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99043014254000, 99043014254000
Leistungsbezeichnung I	Let the housing land register be created
Leistungsbezeichnung II	Have apartment land register created
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	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	19.11.2020
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Western Pomerania Ministry of Justice Mecklenburg-Vorpommern
Handlungsgrundlage	https://www.gesetze-im-internet.de/woeigg/_7.html https://www.gesetze-im-internet.de/woeigg/_8.html https://www.gesetze-im-internet.de/woeigg/_2.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/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/_7.html https://www.gesetze-im-internet.de/woeigg/_8.html https://www.gesetze-im-internet.de/woeigg/_2.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/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/_7.html https://www.gesetze-im-internet.de/woeigg/_8.html https://www.gesetze-im-internet.de/woeigg/_2.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/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	Condominium ownership is the ownership of an apartment in connection with the co-ownership share in the common property.
Volltext	Residential property is the property (special property; also called spatial property) in an apartment in

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connection with the co-ownership of the common property (property as well as the building, insofar as they are not owned by a third party).

If you want to establish residential property, you need to be entered in the land register. For this purpose, housing land registers are created. Before this can be done, however, you must first create the conditions for home 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 home ownership by dividing up. Each of you then receives the property (special property; also called spatial property) in a particular apartment in a building already built or still 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 spatial property) in an existing or future apartment. 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 housing land registers by the competent land registry office. This means that a special land register is created for each apartment. As a result, a condominium can be sold like any other property, charged with liens or other rights or inherited. The previous land register for the property will be closed.

Erforderliche Unterlagen

- written application for registration
 - Registration permit
 - Distribution plan (building drawing signed and stamped by the building authority, showing the division of the building and the location and size of the parts of the building in the special property and the parts of the building owned jointly and in the Community)
 - Certificate of completion (certificate from the

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competent building authority that the premises in which special property is to be established are self-contained)

- the certificate of safety of the tax office (for more information, please contact the notary working in your case or .dem notary working in your case)
- notarised declaration of division or notarised contract for the agreement of all co-owners

Voraussetzungen

In order to establish home ownership, an application for registration by you or the notary or the notary who certifies must be made. The creation of the housing land registers takes place when all the necessary documents have been submitted in accordance with the form and there are no obstacles to registration.

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 charges a full fee for the registration of the contractual granting of ownership of an apartment (§§ 3, 7 WEG) or for the creation of the apartment land register 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.

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).

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Verfahrensablauf

You must apply for registration with the Land Registry. As a rule, the notary or notary who has certified or certified the division agreement or the declaration of

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division shall arrange the registration.

- The documents required for registration shall be examined by the competent lawyer at the Land Registry Office.
- If documents are not available in full or in accordance with the form, the competent lawyer shall be the notary, the notary or Inform you in writing and request the presentation of the missing documents or the documents in a form-appropriate manner (notarized or certified).
- If all necessary documents are available, the responsible lawyer will create the partial property registers. These special land register sheets are entered

\- the fraction of co-ownership of the property
 \- the property belonging to the co-ownership share (special property)

- The registration will be made known to the notary .dem the application and will be notified to you with the registration notice.
- The invoice of the Land Registry will be sent to you to pay 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
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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

Modul	Sachverhalt
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Apartment land register creation • Creation is carried out by the land registry • all requirements must be met • all required documents must be submitted to the land registry in due form • there must be no obstacles to registration • Responsible: Land registry office at the district court in whose jurisdiction the property is located.
Ansprechpunkt	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).
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	Let the housing land register be created, Have apartment land register created, Wohnungsgrundbuch anlegen lassen