

99050013001000, 99050013001000

Allow brokerage activities

Heruntergeladen am 11.06.2025

<https://fimportal.de/xzufi-services/355072/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99050013001000, 99050013001000
Leistungsbezeichnung I	Allow brokerage activities
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
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	11.01.2024
Fachlich freigegeben durch	Thuringian Ministry for Economy, Science and Digital Society
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_34c.html https://www.gesetze-im-internet.de/gewo_34cdv/ https://www.gesetze-im-internet.de/gewo/_34c.html https://www.gesetze-im-internet.de/gewo/_34c.html https://www.gesetze-im-internet.de/gewo_34cdv/
Teaser	Do you want 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 real estate or prepare and carry out construction projects on a commercial basis.
Volltext	<p>You need a permit if you want to offer the following on a professional basis:</p> <ul style="list-style-type: none"> • Brokerage of real estate (real estate agents), • Mediation of loan agreements (except real estate loans for consumers), • management of residential real estate (residential real estate managers) or • Preparation or execution of construction projects in one's own name or in the name of a third party (property developer, construction supervisor). <p>Depending on which permit you apply for, you are authorized to carry out the following activities, for example:</p> <ul style="list-style-type: none"> • Brokerage of real property and rights equivalent to real property, as well as brokerage of the sale, encumbrance, rental or leasing of real property • Mediation of residential property as well as contracts on mortgages and land charges, • Intermediation of commercial premises as well as of residential premises, i.e. all types of space transfers

Modul

Sachverhalt

including leases and subleases, i.e. also apartment and room brokering.

- Brokering of loans (except real estate financing for consumers)
- Planning or carrying out construction projects using third-party assets, for example, using assets belonging to tenants, leaseholders, other persons entitled to use the property or persons applying for acquisition or usage rights. It makes no difference whether you act in your own name (property developer) or whether you act on behalf of third parties (construction manager). The following activities, for example, come into consideration: Submitting building applications, commissioning architects and tradesmen, procuring and calling in financing, taking out insurance, calculating subsequent rents.
- Administration of rented apartments or the joint condominium ownership of several persons. You are an administrator, for example, when you
 - carry out resolutions of the condominium 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 related to the ongoing management of the common property;
 - manage funds collected.

For the brokerage of real estate consumer loan agreements, you need a different, separate commercial license.

Erforderliche Unterlagen

- Copy of identity card or passport with certificate of registration or presentation on site.
- Proof of orderly financial circumstances
 - if resident in Germany, usually:
 - Extract from the debtors' register
 - Certificate of the insolvency court
 - Certificate in tax matters (from the tax office)
 - if you are resident abroad: documents from your home country proving that your financial circumstances are in order
- Proof of the legal form of the company:

Modul

Sachverhalt

- if the company is based in Germany: for companies entered in a register: Excerpt from the commercial register, the partnership register or the register of cooperatives.
- if the company is located abroad: documents from the country of domicile proving the legal form of the company
 - Proof of personal reliability:
 - if resident in Germany:
 - Certificate of good conduct for submission to a public authority
 - extract from the commercial register for submission to an authority
 - if you are domiciled abroad: documents from your country of domicile proving your personal reliability

The competent authority may request further documents to verify your personal reliability. For legal entities such as a limited liability company, you must submit or apply for the personal documents for all natural persons authorized to manage the company (for example, personal papers) (for example, an extract from the central commercial register for submission to a public authority). For legal entities, you also need an extract from the central business 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 the permit. Submit a completed application form and all personal documents for each of these persons. If you wish to act as a residential property manager, you must submit proof of taking out the professional liability insurance required by law.

Voraussetzungen

- You have the necessary reliability for the business operation. As a rule, you do not have this if you have been convicted by a final court decision within the last 5 years of a crime or a property crime (defined in more detail by law).
- Your financial circumstances are in order: No insolvency proceedings have been opened against your

Modul	Sachverhalt
	<p>assets or have been dismissed for lack of assets.</p> <ul style="list-style-type: none"> • If you wish to work as a residential property manager, you need professional liability insurance for at least EUR 500,000 for each insured event and EUR 1,000,000 for all insured events in a year.
Kosten	
Verfahrensablauf	
Bearbeitungsdauer	3 months
Frist	<p>You must have the permit before the start of operation. Therefore, make the application in time, i.e. a few weeks before the intended start of operation. For the activity as • Real estate agent or broker, • property developer • construction supervisor • residential property manager the permit is deemed to have been granted if the authority has not taken a decision on your application within a period of 3 months after receipt of the complete documents. You must notify the authority responsible for trade notifications of the start of the activity at the same time.</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 accordance with their activities.</p>
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Business of brokers, investment advisors, property developers, residential property managers and construction supervisors Permission. • The following commercial activities are subject to permission: <ul style="list-style-type: none"> • Brokerage of loan agreements <ul style="list-style-type: none"> • For the brokerage of real estate consumer loan agreements, a different, separate permit under trade law is required. • Activity as a real estate agent • Management of residential real estate (residential real estate manager) • Preparation or execution of construction projects in

Modul	Sachverhalt
	<p>one's own name or in the name of third parties (property developer, construction supervisor)</p> <ul style="list-style-type: none"> • Permission can be restricted in terms of content or linked to conditions. • Responsibility lies with the local trade office.
Ansprechpunkt	Please contact the trade offices of the districts and larger cities.
Zuständige Stelle	
Formulare	
Ursprungsportal	Erlaubnis als Immobilienmakler, Darlehensvermittler, Bauträger, Baubetreuer oder Wohnimmobilienverwalter beantragen, Allow brokerage activities