

99043015254000, 99043015254000

Have a partial ownership land register created

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/232494255/L100039>

| Modul | Sachverhalt |
|---------------------------|---|
| Leistungsschlüssel | 99043015254000, 99043015254000 |
| Leistungsbezeichnung I | Have a partial ownership land register created |
| Leistungsbezeichnung II | Have a partial ownership land register created |
| Typisierung | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion | Rheinland-Pfalz |
| Freigabestatus Katalog | fachlich freigegeben (gold) |
| Freigabestatus Bibliothek | fachlich freigegeben (silber) |
| 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 | Hausbau und Immobilienerwerb (1050100), Kauf, Miete und Pacht (2050100) |

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| Einheitlicher Ansprechpartner | Nein |
| Fachlich freigegeben am | 19.11.2020 |
| Fachlich freigegeben durch | 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 |
| Teaser | Partial ownership is the ownership of rooms in a building that are not used for residential purposes in connection with the co-ownership share in the common property. |
| Volltext | <p>Partial ownership is the ownership (special ownership; also known as room ownership) of rooms in a building that are not used for residential purposes in connection with the co-ownership share in the common property (land and the building, unless they are owned separately or by a third party).</p> <p>Non-residential premises are, for example, stores, doctors' surgeries or cafés. If you wish to establish partial ownership, this must be entered in the land register. Partial ownership land registers are created for this purpose. Before this can take place, however, you must first create the conditions for partial</p> |

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ownership. This can be done in two ways:

- If you are a co-owner of a property, this requires a notarized division agreement between all co-owners in accordance with Section 3 WEG. In doing so, you reach an agreement with all co-owners and grant each other partial ownership through division. Each of you then receives ownership (partial ownership, special ownership; also known as room ownership) of rooms not used for residential purposes in a building already constructed or to be constructed on the property.
- If you are the sole owner of a property, you can divide it in accordance with Section 8 WEG by means of a notarized declaration. With the declaration that you submit to the land registry, you divide the ownership of the property (so-called declaration of division). You link each share to the ownership (special ownership; also known as room ownership) of existing or future rooms that are not used for residential purposes. You also allocate a fractional co-ownership share in the property to each share.
- The entry in the land register is made 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 spatial unit. This means that a part-ownership unit can be sold, encumbered with mortgages or other rights or inherited just like any other property. The previous land register sheet for the property is closed.

Erforderliche Unterlagen

- Written application for registration
- Registration permit
- Allocation plan (building drawing signed and sealed or stamped by the building authority, showing the division of the building and the location and size of the parts of the building in separate ownership and those in common ownership)
- Completion certificate (certificate from the responsible building authority that the rooms in which separate ownership is to be established are self-contained)
- Possibly the clearance certificate from the tax office (you can obtain more information on this from the notary acting in your case)
- Notarized declaration of division or notarized

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| | contract on the agreement of all co-owners |
| Voraussetzungen | An application for entry must be made by you or the notary public recording the entry in order to establish partial ownership. The partial ownership land registers are created when all the necessary documents have been submitted in the correct form and there are no obstacles to registration. |
| 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 (sections 3, 7 WEG) or for the creation of part-ownership land registers in the case of section 8 WEG. The specific amount of the fee depends on the value of the transaction. The transaction value is the value of the developed property. This also applies to a building yet to be erected.</p> <p>In addition to the costs for the work of the land registry, costs are also incurred for the work of the notary in accordance with the German Court and Notary Costs Act (GNotKG). Please ask the notary working on your case for the amount of the notary fees. You can also find information and examples of notarial costs on the website of the Federal Chamber of Notaries (link see further information).</p> |
| Verfahrensablauf | <p>You must apply for the entry at the land registry. As a rule, the notary who notarized or certified the partition agreement or declaration of partition will arrange for the entry.</p> <ul style="list-style-type: none"> • The documents required for registration are checked by the responsible judicial officer at the land registry. • If the documents are not complete or not in the correct form, the competent judicial officer will inform the notary or you in writing and submit them to the land registry. inform you of this in writing and request that you submit the missing documents or documents |

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in the correct form (to be notarized or authenticated).

- Once all the necessary documents have been submitted, the responsible judicial officer will create the part-ownership land registers. The following are entered in these special land register sheets - the fraction of co-ownership of the property - the property belonging to the co-ownership share (special ownership)
- The notary submitting the application and you will be notified of the entry with the registration notification.
- The invoice from the land registry will be sent to you for payment of the costs.

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
Hinweise
Rechtsbehelf
Kurztext

- Part-ownership 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 the correct form
- There must be no obstacles to registration
- Responsible: Land registry office at the local 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 competent 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 in whose jurisdiction the property is located is responsible. You can find the competent land registry office in the

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address database of the Germany-wide location and court search on the North Rhine-Westphalia justice portal (see link for further information).

Formulare

Ursprungsportal

Teileigentumsgrundbuch anlegen lassen, Have a partial ownership land register created