

99043017064000, 99043017064000

Encumbrances and restrictions in the land register Deletion

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/109438956/L100041>

Modul	Sachverhalt
Leistungsschlüssel	99043017064000, 99043017064000
Leistungsbezeichnung I	Encumbrances and restrictions in the land register Deletion
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Grundbuch (043)
Verrichtungskennung	Löschung (064)
SDG-Informationsbereich	Vorübergehender oder dauerhafter Umzug in einen anderen Mitgliedstaat
Lagen Portalverbund	Kauf, Miete und Pacht (2050100), Hausbau und

Modul	Sachverhalt
	Immobilienwerb (1050100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	15.11.2020
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_875.html https://www.gesetze-im-internet.de/gbo/_19.html https://www.gesetze-im-internet.de/gbo/_22.html https://www.gesetze-im-internet.de/gbo/_29.html https://www.gesetze-im-internet.de/gbo/_13.html https://www.gesetze-im-internet.de/gnotkg/anlage_1.html
Teaser	The deletion of encumbrances or restrictions (e.g. easement, usufruct) in the land register is possible if the beneficiary waives the exercise of the right.
Volltext	The deletion of encumbrances or restrictions (e.g. easement, usufruct) in the land register is possible if the person entitled waives the exercise of the right. If a person dies in whose favour a right (e.g. a right of abode) is registered in the land register, the deletion of this right can be applied for by the owner of the property. Cancellation may also be applied for if the right is subject to a condition or a time limit and the condition has occurred or the time limit has expired.
Erforderliche Unterlagen	• Request for cancellation • Deletion consent of the person affected by the deletion of the right • Death certificate if the person entitled is deceased
Voraussetzungen	Application The land register procedure is an application procedure. In the event of the death of the beneficiary or the renunciation of the right, no automatic deletion is carried out by the land registry.
Kosten	• KV No. 14140 of Annex 1 to Section 34 GNotKG: For

Modul

Sachverhalt

deletion of a right in Section III of the land register: 0.5 of the fee from the right to be registered. The amount of the fee results from § 34 GNotKG (Table B) and the corresponding Appendix 2.

- KV No. 14141 of Annex 1 to § 34 GNotKG: For the deletion of a joint right if the land register is kept at different land registry offices: The fee 14140 increases by 0.1 of the fee from the second for each further land registry involved. This provision applies if the application for several land registry offices is filed simultaneously with one land registry office or in the case of separate applications, if the applications are received by the land registry offices involved within one month.
- KV No. 14142: of Annex 1 to § 34 GNotKG: Registration of release from joint liability 0.3 of the fee from the right to be registered.
- KV NO. 14143 of Annex 1 to § 34 GNotKG : Fixed fee of EUR 25.00 for cancellation in other respects

Verfahrensablauf

- Application for cancellation The application must be submitted in writing to the land registry. The owner is entitled to file an application. The person whose right is to be extinguished may also submit the application. In most cases, applications for cancellation are submitted by the notary's office in connection with purchase or donation agreements.
- Cancellation authorisation or death certificate The beneficiary, e.g. of a usufructuary right, makes a declaration that the right can be deleted from the land register. The deletion must be expressly approved. The authorisation must either be declared before a notary public or the signature must be certified. If the beneficiary is deceased, please submit a death certificate with the application.

Bearbeitungsdauer

is to be requested from the responsible land registry office

Frist

weiterführende Informationen

Hinweise

Modul	Sachverhalt
Rechtsbehelf	
Kurztext	Cancellation of encumbrances and restrictions in the land register
Ansprechpunkt	
Zuständige Stelle	The land registry of the district court in whose jurisdiction the property is located is responsible. https://ordentliche-gerichtsbarkeit.brandenburg.de/ogb/de/ https://ordentliche-gerichtsbarkeit.brandenburg.de/ogb/de/
Formulare	
Ursprungsportal	Encumbrances and restrictions in the land register Deletion, Lasten und Beschränkungen im Grundbuch Löschung