

99043017064000

Heruntergeladen am 18.07.2025

<https://fimportal.de/xzufi-services/60975/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99043017064000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Land register; application for the deletion of usufruct, residential rights and priority notices of rescission
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	22.04.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium der Justiz (Bavarian State Ministry of Justice)
Handlungsgrundlage	http://www.gesetze-im-internet.de/gbo/ http://www.gesetze-im-internet.de/gbo/ http://www.gesetze-im-internet.de/gnotkg/index.html http://www.gesetze-im-internet.de/gnotkg/index.html
Teaser	Rights for life expire with the death of the entitled person and can be deleted at the request of the property owner.
Volltext	If a person dies in whose favor a right is registered which, like a usufruct or a residential right, is limited by law to the lifetime of the beneficiary, this right expires. The deletion of the right can then be applied for by the owner of the property. Prior restitution notices secure the claims of sellers, for example, to the retransfer of a property. Such priority notices of reconveyance are often found in combination with a usufruct and right of residence, for example if a property is transferred as part of anticipated succession and the transferor is granted a right of residence or usufruct to the property.
Erforderliche Unterlagen	
Voraussetzungen	The deletion of a usufruct, residential right or priority notice of rescission can be applied for at the land registry on presentation of the death certificate. Please note the following: • UsufructA usufruct can only be deleted immediately if a so-called simplified deletion clause ("deletable with proof of death") is entered for the right. Without this clause, deletion is only possible after the expiry of one year from the date of death or if the deletion consent of all heirs is submitted in officially certified form as well as proof of inheritance (see the notes under land register correction after inheritance). • Housing rightsHousing rights can generally be deleted immediately without further ado upon presentation of proof of death.

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	• Prior notice of rescission In the case of prior notices of rescission, the specific provision of the purchase or transfer agreement is decisive. The deletion of a priority notice of reversion can only be applied for without further ado if the priority notice was expressly limited to life in the contract. If this is not the case, check the contract to see whether a power of attorney has been granted to issue a deletion authorization. If this is the case, please contact the (certifying) notary. In all other cases, the consent of all heirs in publicly notarized form and proof of inheritance are required for deletion.
Kosten	A fee of EUR 25 is charged per deleted right in accordance with No. 14143 KV Kostenverzeichnis zum Gerichts- und Notarkostengesetz (GNotKG).
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal