

99116006006000

Misappropriation of housing permit

Heruntergeladen am 25.06.2025

<https://fimportal.de/xzufi-services/S1000020010000002172/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99116006006000
Leistungsbezeichnung I	Misappropriation of housing permit
Leistungsbezeichnung II	Misappropriation of living space, advertisement and approval
Typisierung	4b - Land: Regelung und Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Misappropriation of living space</div> , <div lang="en-x-mtfrom-de">Housing vacancy</div> , <div lang="en-x-mtfrom-de">Empty apartments (living space)</div> , <div lang="en-x-mtfrom-de">Use of living space</div> , <div lang="en-x-mtfrom-de">Holiday apartment</div> , <div lang="en-x-mtfrom-de">Transfer of living space to changing users</div> , <div lang="en-x-mtfrom-de">Subletting</div> , <div lang="en-x-mtfrom-de">Airbnb</div> , <div lang="en-x-mtfrom-de">9Flats</div> , <div lang="en-x-mtfrom-de">Wimdu</div> , <div lang="en-x-mtfrom-de">Apartment for workers</div> ,

Modul	Sachverhalt
	<div lang="en-x-mtfrom-de">Short term rentals</div> , <div lang="en-x-mtfrom-de">Report vacancy</div> , <div lang="en-x-mtfrom-de">Commercial use of living space</div> , <div lang="en-x-mtfrom-de">Guest apartments</div> , <div lang="en-x-mtfrom-de">commercial room rental</div> , <div lang="en-x-mtfrom-de">Housing protection</div> , <div lang="en-x-mtfrom-de">Housing protection register</div> , <div lang="en-x-mtfrom-de">Housing protection number</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	Hamburg Housing Protection Act - HmbWoSchG
Teaser	
Volltext	Living space may only be used for purposes other than residential with permission. Approval must be applied for at the district office in whose district the apartment is located. The use of living space for commercial or freelance purposes, e.g. offices, medical practices, holiday homes, etc., as well as vacancies and the demolition of living space represent a misappropriation of living space. Permission-free non-purpose housing use is subject to an entry in the housing protection register.
Erforderliche Unterlagen	Application, proof of ownership, evidence of the recognition of a public or private interest, or building permit for additional living space

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Voraussetzungen	A prerequisite for misappropriation without a permit within a time window of eight weeks is authorization to use regular living space (main residence). For secondary apartments, a permit is required from the first day of non-intended use. Before commencing use for a purpose other than that intended, a test and, if necessary Requirement to be submitted to and by the competent authority. Possibly. a public or private interest or the creation of replacement living space within Hamburg must be proven as a prerequisite for a permit. The granting of the permit is subject to a fee.
Kosten	212 EUR to 5,065 EUR
Verfahrensablauf	Before commencing use for a purpose other than that intended, a test and, if necessary Requirement to be submitted to and by the competent authority. Possibly. A public or private interest or the creation of replacement living space within the FHH must be proven as a prerequisite for a permit. The granting of the permit is subject to a fee.
Bearbeitungsdauer	4-6 weeks (provided all documents are available).
Frist	Check / advice by the competent authority before starting the unintended use.
weiterführende Informationen	https://www.hamburg.de/wohnraumschutz/ https://www.hamburg.de/wohnraumschutz/ https://www.hamburg.de/wohnraumschutz/11977066/wohnraumschutzgesetz-aenderungen-2019/ https://www.hamburg.de/wohnraumschutz/11977066/wohnraumschutzgesetz-aenderungen-2019/
Hinweise	The transfer of living space to changing users for non-permanent residential use is an illegal misappropriation if it is used for more than 56 days per year - if there is no approval. This applies to both rental apartments and owner-occupied apartments, regardless of whether the living space is made commercially, at "cost price" or free of charge. If vacancies of more than 4 months or commercial use of living space are found, these can be reported for review. The district offices are following up on the clues.

Modul

Sachverhalt

Rechtsbehelf

Kurztext

Living space may only be used for purposes other than residential purposes with permission. The approval must be applied for at the district office in whose district the apartment is located. The use of living space for commercial or freelance purposes, e.g. offices, medical practices, holiday apartments etc., as well as vacancy and the demolition of living space represent a misuse of living space. In main apartments there are time slots that do not require approval. Non-approved use of living space for a different purpose is subject to an entry requirement in the housing protection register. For the use of living space for holiday apartment purposes, shortened times have been in effect since 01.01.2019 as well as the obligation to enter in the housing protection register ("Housing protection number").

Ansprechpunkt

If you want to find out exactly who is responsible for your request, please follow the link to

[Authority finder Hamburg](#)

Zuständige Stelle

District Office Altona

Formulare

Ursprungsportal

[Behördenfinder Hamburg](#), [Authority finder Hamburg](#) (Currently this link is only available in german)