

99012087023001, 99012087023001

Building encumbrances, list of building encumbrances

Heruntergeladen am 14.06.2025

<https://fimportal.de/xzufi-services/8959817/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99012087023001, 99012087023001
Leistungsbezeichnung I	Building encumbrances, list of building encumbrances
Leistungsbezeichnung II	
Typisierung	4 - Land: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Baurecht (012)
Verrichtungskennung	Auskunft (023)
SDG-Informationsbereich	Kauf und Verkauf von Immobilien, einschließlich aller Bedingungen und Pflichten im Zusammenhang mit der Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)
Lagen Portalverbund	Hausbau und Immobilienerwerb (1050100),

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	Bauplanung (2050400), Auszüge aus Registern (2020200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	24.08.2021
Fachlich freigegeben durch	Hessian Ministry of Economics, Energy, Transport and Housing
Handlungsgrundlage	• Municipal building supervision fee statutes https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-BauOHE2018V3IVZ https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-MWVLVwKostOHE2013V19Anlage https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-BauOHE2018V3IVZ https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-MWVLVwKostOHE2013V19Anlage
Teaser	You must contact the competent authority for the transfer of building encumbrances and entries in the register of building encumbrances.
Volltext	**Building encumbrances** are public-law obligations of property owners to do, tolerate or refrain from doing something on their property that does not already result from public-law regulations. This makes it possible to extend the construction or use of another property. The building encumbrances are assumed by written declaration to the building supervisory authority. The signature must be publicly certified or provided by a surveying office or before the building supervisory authority or recognized by it. The building encumbrances become effective upon entry in the register of building encumbrances, irrespective of the rights of third parties. Building encumbrances remain in force even if the property is sold, i.e. they are also effective against legal successors. The building charge is extinguished by a written waiver

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by the building supervisory authority. The waiver must be declared if there is no longer a public interest in the building obligation. The obligated party and the beneficiaries of the building obligation should be heard before the waiver. The waiver becomes effective with the deletion of the building encumbrance in the register of building encumbrances.

The **register** of building encumbrances is kept by the building supervisory authority. Other obligations of the property owner under building law to do, tolerate or refrain from doing, tolerating or refraining from doing something that affects his or her property, as well as conditions, time limits and reservations of revocation, can also be entered in the register of building encumbrances.

Anyone who can demonstrate a legitimate interest may inspect the register of building encumbrances and obtain copies.

Erforderliche Unterlagen

- Declaration of encumbrance by the owner
- Proof of ownership of the property to be encumbered (current extract from the land register)
- site plan

Voraussetzungen

Kosten

The entry and deletion of a building charge and other entries in the register of building charges are subject to a fee, as are copies from the register. The amount of the fee is determined in accordance with the administrative cost regulations for the business area of the Ministry of Economic Affairs, Energy, Transport and Regional Development (VwKostO-MWEVL) or the municipal building supervision fee statutes.

Verfahrensablauf

Bearbeitungsdauer

Frist

weiterführende Informationen

Modul	Sachverhalt
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	Building supervisory authority at the district / independent city / special status city
Zuständige Stelle	
Formulare	
Ursprungsportal	Baulasten, Baulastenverzeichnis, Building encumbrances, list of building encumbrances