

99043011225000, 99043011225000

Expropriation of land

Heruntergeladen am 16.07.2025

<https://fimportal.de/xzufi-services/8960600/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99043011225000, 99043011225000
Leistungsbezeichnung I	Expropriation of land
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Grundbuch (043)
Verrichtungskennung	Enteignung (225)
SDG-Informationsbereich	Vorübergehender oder dauerhafter Umzug in einen anderen Mitgliedstaat
Lagen Portalverbund	Hausbau und Immobilienerwerb (1050100), Kauf, Miete und Pacht (2050100)
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	Nein
Fachlich freigegeben am	05.01.2022
Fachlich freigegeben durch	Hessian Ministry of Justice
Handlungsgrundlage	https://www.gesetze-im-internet.de/gg/art_14.html https://www.gesetze-im-internet.de/gg/art_14.html
Teaser	Expropriation is a form of state access to land or rights to the land.
Volltext	<p>Expropriation is a form of state access to land or rights to the land. For many public tasks, such as the construction of roads or power supply lines, private land is required to carry out the measure. If an amicable settlement is not possible and the planned project therefore threatens to fail, various laws provide for expropriation.</p> <p>Expropriation interferes with the fundamental right to property. Therefore, expropriation is only permissible if the land is absolutely necessary for the realization of a project. The project must serve the common good (e.g. road construction, energy supply). Expropriation may only take place against appropriate compensation.</p>
Erforderliche Unterlagen	
Voraussetzungen	<p>Expropriation is only permitted on a legal basis and solely for the benefit of the general public.</p> <p>Expropriation may only be pronounced against compensation. This is usually done in money, exceptionally the granting of replacement land is possible. The compensation for land is calculated according to its market value. As a rule, valuation reports of the expert committees are used to determine this. If there are plants or growth on the land, additional valuation reports, for example from agricultural experts, may be required.</p>
Kosten	
Verfahrensablauf	Expropriation is preceded by the expropriation

Modul

Sachverhalt

procedure. It is regularly initiated by an application with justification from the authority that wants to carry out the expropriation. The parties involved in the proceedings are applicants, property owners and all persons who have a right to the land to be expropriated. All interested parties shall be heard. In an oral hearing, an attempt is made to reach an agreement on the sale of the land. If this fails, the competent authority shall issue an expropriation order. In it, it regulates the change in the law (including transfer of ownership) and compensation. If the owner does not agree with the decision or with the amount of compensation, he can contest the legal process.

With an implementing order, the expropriation authority initiates the entry of the change of law in the land register at the competent land registry office.

Bearbeitungsdauer

Frist

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

- Expropriation interferes with the fundamental right to property, so it is only permissible on a legal basis and solely for the benefit of the general public.
- Expropriation may only be pronounced against compensation.
- Expropriation is preceded by the expropriation procedure. It is regularly initiated by an application with justification from the authority that wants to carry out the expropriation.
- Responsible: The regional councils of Darmstadt, Kassel and Gießen, each of which is responsible for a region of Hesse.

Ansprechpunkt

The regional councils of Darmstadt, Kassel and Gießen, each of which is responsible for a region of Hesse. Similar to a court, the expropriation authority works largely without instructions. It regulates the conduct of

Modul	Sachverhalt
	expropriation proceedings, including possession and compensation procedures.
Zuständige Stelle	
Formulare	
Ursprungsportal	Enteignung eines Grundstücks, Expropriation of land