

99123008006000, 99123008006000

Property division approval

Heruntergeladen am 14.07.2025

<https://fimportal.de/xzufi-services/121409796/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99123008006000, 99123008006000
Leistungsbezeichnung I	Property division approval
Leistungsbezeichnung II	Applying for permission to divide a property
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Vermessung und Kataster (123)
Verrichtungskennung	Genehmigung (006)
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), Standortsuche (2050200), Standortsuche und

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	Standortwahl (2010600)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	12.09.2022
Fachlich freigegeben durch	Ministry of Regional Identity, Communities and Local Government, Building and Digitalization of the State of North Rhine-Westphalia
Handlungsgrundlage	https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=1&bes_id=39224&anw_nr=2&aufgehoben=N&det_id=468195 https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=0&bes_id=4565&anw_nr=2&aufgehoben=N&det_id=445002 https://recht.nrw.de/lmi/owa/pl_text_anzeigen?v_id=5820031106093134318 https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=1&bes_id=39224&anw_nr=2&aufgehoben=N&det_id=468195 https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=0&bes_id=4565&anw_nr=2&aufgehoben=N&det_id=445002 https://recht.nrw.de/lmi/owa/pl_text_anzeigen?v_id=5820031106093134318
Teaser	divide your property into several plots under land register law, e.g. to sell them individually or to transfer assets? To do this, you need a division permit from the building supervisory authority.
Volltext	In order to divide a developed property or a property whose development has been approved or which may be developed on the basis of an exemption from approval, and to be able to enter the resulting new properties in the land register, you require a division permit. The building supervisory authority in whose jurisdiction the property to be divided is located will decide on your division application. Please note that any conditions contrary to building law that arise as a result of the division must be eliminated during the application process. This can be done, for example, by declaring and registering building encumbrances.

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Approval is not required if

- the division is carried out in administrative proceedings under public law or the federal government, the state or a regional authority is involved in the division, or
- a person authorized to perform the tasks has certified that the division is unobjectionable under building regulations.

If the subdivision does not require approval, the building supervisory authority must issue a certificate at the request of the parties involved. The certificate is equivalent to a permit.

Erforderliche Unterlagen

- Official site plan at a scale of 1:500 showing, among other things, the legal boundaries and the existing structures on the property to be divided as well as the boundary distances, spacing areas and distances between the structures on the property to be divided and the new boundaries (division line) highlighted in color.
- Construction drawings of the existing structures, insofar as they are required to assess the application (scale 1:100).

The documents must be submitted in duplicate.

Voraussetzungen

Approval of the division is only required for developed properties or properties whose development has been approved or which may be developed on the basis of an exemption from approval.

Approval may only be refused if the division creates conditions that contravene the provisions of BauO NRW 2018, the regulations issued on the basis of this Act or the provisions of the development plan.

Kosten

The fee for the subdivision permit is EUR 50 to 500 per developed property. A fee of EUR 50 is charged for issuing a certificate that the subdivision does not require approval or is deemed to have been approved (negative certificate).

Verfahrensablauf

Send your application to the lower building supervisory authority. If a division permit is granted or a negative

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	certificate is issued, you will receive this and the notification of fees in writing.
Bearbeitungsdauer	One month after receipt of your application; however, this period may be extended by the authority by a maximum of two further months by means of an interim decision.
Frist	None
weiterführende Informationen	
Hinweise	If no subdivision permit is required, you can apply to the building supervisory authority for a so-called negative certificate to be issued. This confirms to you that your planned division does not require approval or is deemed to be approved. A fee of EUR 50 is charged for issuing the negative certificate.
Rechtsbehelf	
Kurztext	• Authorization that entitles you to divide a developed property into several properties and • have the division of the property entered in the land register (e.g. to sell them individually or to transfer assets), • The lower building supervisory authority is responsible
Ansprechpunkt	
Zuständige Stelle	
Formulare	Form for application for division of land / negative certificate (Annex I/5 to VV BauPrüfVO) https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=4420060110081829924 alternatively https://www.bauportal.nrw/informationen-baurecht/weiterfuehrende-informationen/vordrucke-und-formulare
Ursprungsportal	Grundstücksteilung Genehmigung, Property division

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