

99012002012000, 99012002012000

Apply for certificate of seclusion according to the Condominium Act

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/8967740/L100012>

Modul	Sachverhalt
Leistungsschlüssel	99012002012000, 99012002012000
Leistungsbezeichnung I	Apply for certificate of seclusion according to the Condominium Act
Leistungsbezeichnung II	Apply for certificate of seclusion according to the Condominium Act
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Schleswig-Holstein
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Baurecht (012)
Verrichtungskennung	Ausstellung (012)
SDG-Informationsbereich	Kauf und Verkauf von Immobilien, einschließlich aller Bedingungen und Pflichten im Zusammenhang mit der

Modul	Sachverhalt
	Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)
Lagen Portalverbund	Bauverfahren (2050500), Hausbau und Immobilienerwerb (1050100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	31.03.2023
Fachlich freigegeben durch	Ministry of the Interior, Building and Digitalization Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/woeigg/__7.html https://www.gesetze-im-internet.de/woeigg/__32.html https://www.verwaltungsvorschriften-im-internet.de/bsvwvbund_06072021_SW35.htm https://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=BauAufs%C3%9CV+SH&psml=bsshoprod.psml&max=true&aiz=true https://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=BauAufs%C3%9CV+SH&psml=bsshoprod.psml&max=true&aiz=true
Teaser	You must apply for a certificate of seclusion if you wish to establish a separate property or assert a permanent right of residence.
Volltext	If you establish separate ownership of an apartment or of rooms not used for residential purposes (e.g., commercial) or of a parking space, you will need a certificate of seclusion. You also need this if you want to assert the right to permanently occupy a certain apartment in the building (permanent right of residence). The certificate of seclusion proves that • a dwelling is sufficiently separated from other dwellings or rooms by construction, or • rooms not used for residential purposes (partial ownership) are closed off from other rooms.

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Special ownership can also be established for parking spaces and parts of the property outside the building, such as terraces or garden areas. The separate ownership must be clearly defined by dimension specifications in the construction drawing / partition plan.

The certificate of seclusion is issued by the responsible building authority after checking your documents.

Erforderliche Unterlagen

- Application for a certificate of seclusion,
- construction drawing / partition plan (site plan, floor plans, sections and views),
 - In the case of a written application, the construction drawing / partition plan must be enclosed in duplicate, legible and to scale and must not exceed DIN A3 format.
 - In the case of electronic application, the construction drawing / partition plan must be submitted as an electronic document printable in A3 format.
- The construction drawing / partition plan must be an as-built drawing for existing buildings.
- Proof of ownership (current excerpt from the land register, purchase contract if applicable, current excerpt from the commercial register if applicable),
- current excerpt from the official real estate map

Voraussetzungen

- You must prove that you are either the owner or heritable building right holder of the apartments for which a certificate of seclusion is requested. Alternatively, you must provide credible evidence of your legitimate interest (e.g., purchaser).
 - Condominiums are deemed to be self-contained if
 - it is structurally separated from other apartments or rooms, for example by walls and ceilings, and
 - has its own lockable access directly from the outside, from a staircase or an anteroom; the access may not lead via another separate property or via a neighboring property without real security.
 - A self-contained apartment or self-contained rooms not used for residential purposes may include additional lockable rooms outside the respective enclosure (for example, storage rooms in the basement).

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	• Parking spaces as well as parts of the property outside the building (such as terraces and garden areas), on which separate ownership is also to be established, must be clearly defined by dimension specifications in the construction drawing / partition plan.
Kosten	
Verfahrensablauf	• You fill out the application and submit it to the relevant building authority together with the required documents. • The building authority will check your application and the documents. • If all requirements are met, the building authority will issue you a certificate of seclusion together with a copy of the construction drawing / partition plan.
Bearbeitungsdauer	• not specified
Frist	• none
weiterführende Informationen	
Hinweise	
Rechtsbehelf	• administrative court action (the certificate of seclusion is not an administrative act)
Kurztext	• A certificate of seclusion is a prerequisite for the approval of the registration of condominiums or partial condominiums in the land register. • The application for a certificate of seclusion can be submitted by the owner, the person entitled to the heritable building right or any other person who can substantiate a justified interest (for example, the purchaser). • responsible: Building authority of the state
Ansprechpunkt	Lower building supervisory authority • of the district or independent city • of the municipalities (if the tasks of the lower building supervisory authority have been transferred)
Zuständige Stelle	• competent building authority of the country

Modul	Sachverhalt
Formulare	• Forms/ online services available: No • Written form required: depends on state law • Informal application possible: Yes • Personal appearance required: No
Ursprungsportal	Abgeschlossenheitsbescheinigung nach dem Wohnungseigentumsgesetz beantragen, Apply for certificate of seclusion according to the Condominium Act