

99043011225000, 99043011225000

expropriation of property

Heruntergeladen am 16.07.2025

<https://fimportal.de/xzufi-services/8968601/L100012>

Modul	Sachverhalt
Leistungsschlüssel	99043011225000, 99043011225000
Leistungsbezeichnung I	expropriation of property
Leistungsbezeichnung II	expropriation of property
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	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	15.11.2020
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/gg/art_14.html https://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=EnteigG+SH&psml=bsshoprod.psml&max=true&aiz=true https://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=VwGebV+SH&psml=bsshoprod.psml&max=true https://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=EnteigG+SH&psml=bsshoprod.psml&max=true&aiz=true https://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=VwGebV+SH&psml=bsshoprod.psml&max=true
Teaser	Expropriation is a form of state access to land or to rights to the land.
Volltext	Expropriation is a form of state access to land or to rights to the land. In the case of many public tasks, e.g. the construction of roads or energy supply lines, private land is required in order to carry out the measure. If an amicable settlement is not possible and the planned project is therefore in danger of failing, various laws provide for expropriation. 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 public good (e.g. road construction, energy supply). Expropriation may only take place in return for appropriate compensation.
Erforderliche Unterlagen	Information on application documents in the expropriation procedure can be found on the website of the Ministry of the Interior, Municipal, Housing and Sport of the State of Schleswig-Holstein. https://www.schleswig-holstein.de/DE/Landesregierung/Themen/PlanenBauenWohnen/Enteignung/enteignung.html

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	https://www.schleswig-holstein.de/DE/Landesregierung/Themen/PlanenBauenWohnen/Enteignung/enteignung.html
Voraussetzungen	Expropriation is only permitted on a legal basis and solely for the common good. Expropriation may only be pronounced in return for compensation. As a rule, this compensation is paid in cash; in exceptional cases, the granting of substitute land is possible. The compensation for land is calculated according to its market value. As a rule, the value of land is determined on the basis of appraisals by the expert committees. If there are plants or vegetation on the land, additional appraisals, e.g. by agricultural experts, may be required.
Kosten	Fees are charged in accordance with the State Ordinance on Administrative Fees. Detailed information on this can be obtained from the competent authority.
Verfahrensablauf	Expropriation is preceded by the expropriation procedure. It is regularly initiated by an application with reasons submitted by the authority wishing to carry out the expropriation. The parties to the procedure are the applicant, the owner of the land and all persons who have a right to the land that is to be expropriated. All parties are heard. In a hearing, an attempt is made to reach an agreement on the sale of the land. If this is not successful, the competent authority issues an expropriation decision. In this, it regulates the legal change (among other things, transfer of ownership) and the compensation. If the owner does not agree with the decision or the amount of compensation, he can take legal action. With an execution order, the expropriation authority arranges for the entry of the legal change in the land register at the responsible land registry office.
Bearbeitungsdauer	
Frist	
weiterführende	

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Informationen	
Hinweise	The offices of the expert committees are available as contact persons for land reference value information. Further information on expropriation can be found on the website of the Ministry of the Interior, Municipal, Housing and Sport of the State of Schleswig-Holstein (MIKWS). https://www.gutachterausschuesse-sh.de/ https://www.schleswig-holstein.de/DE/Themen/E/enteignung.html https://www.gutachterausschuesse-sh.de/ https://www.schleswig-holstein.de/DE/Themen/E/enteignung.html
Rechtsbehelf	
Kurztext	expropriation of land by the expropriating authority
Ansprechpunkt	
Zuständige Stelle	Expropriation authority of the respective federal states Similar to a court, the expropriation authority works largely without instructions. It regulates the implementation of expropriation proceedings, including the procedures for the transfer of ownership and compensation. In Schleswig-Holstein, this is the Ministry of the Interior, Municipal, Housing and Sport of the State of Schleswig-Holstein.
Formulare	
Ursprungsportal	Enteignung eines Grundstücks, expropriation of property