

99043016060000, 99043016060000

Registration of a compulsory mortgage

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/232494242/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99043016060000, 99043016060000
Leistungsbezeichnung I	Registration of a compulsory mortgage
Leistungsbezeichnung II	Registration of a compulsory mortgage
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Grundbuch (043)
Verrichtungskennung	Eintragung (060)
SDG-Informationsbereich	Vorübergehender oder dauerhafter Umzug in einen anderen Mitgliedstaat
Lagen Portalverbund	Hausbau und Immobilienerwerb (1050100), Kauf, Miete und Pacht (2050100)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	16.11.2020
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/zpo/_867.html https://www.gesetze-im-internet.de/zpo/_720a.html https://www.gesetze-im-internet.de/zpo/_724.html https://www.gesetze-im-internet.de/zpo/_725.html https://www.gesetze-im-internet.de/zpo/_750.html https://www.gesetze-im-internet.de/zpo/_751.html https://www.gesetze-im-internet.de/zpo/_765.html https://www.gesetze-im-internet.de/zpo/_866.html https://www.gesetze-im-internet.de/gbo/_39.html https://www.gesetze-im-internet.de/gbo/_47.html https://www.gesetze-im-internet.de/gbo/_13.html https://www.gesetze-im-internet.de/gnotkg/_34.html https://www.gesetze-im-internet.de/gnotkg/anlage_1.html https://www.gesetze-im-internet.de/gnotkg/anlage_2.html https://www.gesetze-im-internet.de/bgb/_428.html https://www.gesetze-im-internet.de/zpo/_867.html https://www.gesetze-im-internet.de/zpo/_720a.html https://www.gesetze-im-internet.de/zpo/_724.html https://www.gesetze-im-internet.de/zpo/_725.html https://www.gesetze-im-internet.de/zpo/_750.html https://www.gesetze-im-internet.de/zpo/_751.html https://www.gesetze-im-internet.de/zpo/_765.html https://www.gesetze-im-internet.de/zpo/_866.html https://www.gesetze-im-internet.de/gbo/_39.html https://www.gesetze-im-internet.de/gbo/_47.html https://www.gesetze-im-internet.de/gbo/_13.html https://www.gesetze-im-internet.de/gnotkg/_34.html https://www.gesetze-im-internet.de/gnotkg/anlage_1.html https://www.gesetze-im-internet.de/gnotkg/anlage_2.html https://www.gesetze-im-internet.de/bgb/_428.html
Teaser	If you have a monetary claim from a judgment or another enforceable title, you can also enforce against the debtor's property (e.g. land).

Modul

Sachverhalt

Volltext

If you have a monetary claim from a judgment or another enforceable title, you can also enforce against the debtor's property (e.g. land). To do this, you must first apply for the registration of a compulsory mortgage. In the event of a forced sale, you will secure a ranking position for your claim against other entitled parties.

Erforderliche Unterlagen

****Written application****

Your application must contain the following information:

- Property designation (land register or location designation)
- Personal details (name, address or company name and registered office, date of birth)
- If there are several creditors, the joint relationship (e.g. in fractions of 1/2 or joint creditors in accordance with Section 428 BGB)
- Details of the debtor (name, address or company name and registered office)

****Enforcement order****

Attach to the application

- the original enforceable copy or the enforcement order
- A simple or certified copy of the title is not sufficient

The documents will be returned to you after registration.

****List of claims****

Please draw up a list of all the claims you wish to assert. The list must also include payments already made by the debtor. For any interest, you must state the amount of interest and the start of interest. Interest is not to be calculated. If you are claiming

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	enforcement costs, you must submit the relevant receipts.
Voraussetzungen	**Application** The compulsory security mortgage is only registered on application. **Minimum amount of the claim** over EUR 750.09. Enforcement may result from several enforcement titles, e.g. from a judgment and a cost assessment order. Enforcement costs incurred to date can be added. **Pre-registration** The debtor must be entered in the land register as the owner or co-owner. **Enforcement order** This is a court decision (e.g. judgments, resolutions, enforcement orders) or a declaration with enforceable content (e.g. settlements and notarial deeds). **Enforcement clause** The enforcement clause is a legally prescribed text on the enforcement order and reads, for example: "The above copy is issued to the plaintiff for the purpose of enforcement." As a rule, this text may only be affixed by the body that issued the enforcement order, i.e. in most cases the court (so-called enforceable copy). Enforcement orders do not require such a clause. **Service** The enforcement order must be served on the debtor before enforcement begins. Note: The court must serve many judgments and orders without an application. The enforcement clause therefore also certifies service. You must order the service of other enforcement orders yourself. To do

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	this, contact the distribution office for bailiff orders of the competent local court at the debtor's place of residence. **Due date** In individual cases (e.g. cost assessment orders and notarial deeds), you may only begin enforcement if two weeks have passed since service on the debtor. **No further obstacles to enforcement** For example, there must be no entry in the land register regarding the opening of insolvency proceedings.
Kosten	Full fee from the right to be registered, i.e. the total claim asserted. The amount of the fee results from § 34 GNotKG (Table B) and the associated Annex 2.
Verfahrensablauf	The entry is made as part of the enforcement proceedings and therefore - also - against the will of the debtor.
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	Registration of a compulsory mortgage
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Registration of a compulsory mortgage, Eintragen einer Zwangshypothek