

99116006006000

Misuse of Living Space Approval

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/S1000020010000002172/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99116006006000
Leistungsbezeichnung I	Misuse of Living Space Approval
Leistungsbezeichnung II	Apply for permission to change the use of living space
Typisierung	4b - Land: Regelung und Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Misappropriation of living space</div> , <div lang="en-x-mtfrom-de">Housing vacancy</div> , <div lang="en-x-mtfrom-de">Empty apartments (living space)</div> , <div lang="en-x-mtfrom-de">Use of living space</div> , <div lang="en-x-mtfrom-de">Holiday apartment</div> , <div lang="en-x-mtfrom-de">Transfer of living space to changing users</div> , <div lang="en-x-mtfrom-de">Subletting</div> , <div lang="en-x-mtfrom-de">Airbnb</div> , <div lang="en-x-mtfrom-de">9Flats</div> , <div lang="en-x-mtfrom-de">Wimdu</div> , <div lang="en-x-mtfrom-de">Apartment for workers</div> , <div lang="en-x-mtfrom-de">Short term rentals</div> ,

Modul	Sachverhalt
	<div lang="en-x-mtfrom-de">Report vacancy</div> , <div lang="en-x-mtfrom-de">Commercial use of living space</div> , <div lang="en-x-mtfrom-de">Guest apartments</div> , <div lang="en-x-mtfrom-de">commercial room rental</div> , <div lang="en-x-mtfrom-de">Housing protection</div> , <div lang="en-x-mtfrom-de">Housing protection register</div> , <div lang="en-x-mtfrom-de">Housing protection number</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	14.01.2025
Fachlich freigegeben durch	
Handlungsgrundlage	Law on the Protection and Preservation of Living Space (Hamburg Housing Protection Act - HmbWoSchG) [https://www.landesrecht-hamburg.de/bsha/document/jlr-WoPflGHAframe] https://www.landesrecht-hamburg.de/bsha/document/jlr-WoPflGHArahmen)
Teaser	You need a permit to change the use of living space.
Volltext	If you want to use living space for purposes other than residential use, you will need a permit. Living space is any individual room that is objectively suitable and subjectively intended for residential purposes, which means that a building permit for residential purposes is required. These include: • Apartments in multi-family houses or single-family

Modul	Sachverhalt
	houses • Apartments that you use permanently as living space • rooms in shared apartments Misuse occurs when you use the living space for commercial or freelance purposes, such as offices, practices, vacation homes or other short-term rentals. Vacancy and demolition of living space also constitute misuse of living space. In primary residences, there are time slots for short-term use as a holiday home that do not require a permit. Any use of the living space for purposes other than those intended that do not require a permit is subject to registration in the housing protection register. The permit must be applied for at the district office in whose district the apartment is located.
Erforderliche Unterlagen	• Application, • proof of ownership, • Evidence of recognition of a public or private interest, • alternatively, building permit for additional living space
Voraussetzungen	The prerequisite for a permit-free misuse as a holiday home within a time window of 55 days is a right of use for regular living space (main residence). For secondary residences, a permit is required from the first day of the misuse. Before any use for a purpose other than the intended purpose is commenced, an examination and, if necessary, an application to and from the responsible authority is required. As a prerequisite for approval, there must be proof of a public or private interest or the creation of alternative housing within Hamburg. The approval is subject to a fee.
Kosten	218 EUR to 5,065 EUR
Verfahrensablauf	You apply for permission to change the use of living space with all necessary documents to the responsible

Modul	Sachverhalt
	authority. The responsible authority will examine your application and documents. If necessary, it will request further documents or information from you. The responsible authority will decide on your application. You will receive a notification. You will receive a fee notice.
Bearbeitungsdauer	If all required documents are available, processing takes 4 to 6 weeks.
Frist	You need permission before you start using the living space for purposes other than its intended purpose.
weiterführende Informationen	https://www.hamburg.de/politik-und-verwaltung/behoerden/behoerde-fuer-stadtentwicklung-und-wohnen/themen/wohnen/wohnraumschutz https://www.hamburg.de/wohnraumschutz/ https://www.hamburg.de/politik-und-verwaltung/behoerden/behoerde-fuer-stadtentwicklung-und-wohnen/themen/wohnen/wohnraumschutz/wohnraumschutzgesetz-aenderungen-2019-190956 https://www.hamburg.de/wohnraumschutz/11977066/wohnraumschutzgesetz-aenderungen-2019/
Hinweise	The transfer of living space to changing users for non-permanent residential use is an illegal misappropriation if it is used for more than 56 days per year - if there is no approval. This applies to both rental apartments and owner-occupied apartments, regardless of whether the living space is made commercially, at "cost price" or free of charge. If vacancies of more than 4 months or commercial use of living space are found, these can be reported for review. The district offices are following up on the clues.
Rechtsbehelf	contradiction
Kurztext	If you want to use living space for purposes other than residential use, you will need a permit. Misuse occurs when living space is used as an office, practice or holiday home, is vacant or is to be

Modul	Sachverhalt
	demolished. In primary residences, there are time slots for short-term use as a holiday home that do not require a permit. Use of living space for purposes other than those intended that do not require a permit is subject to registration in the housing protection register.
Ansprechpunkt	If you want to find out exactly who is responsible for your request, please follow the link to [Hamburg Service](https://www.hamburg.de/service/info/hasi/2172)
Zuständige Stelle	District Office Altona
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)