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# Mortgages in the Land Register Change

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/S1000020010000013279/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99043009011000
Leistungsbezeichnung I	Mortgages in the Land Register Change
Leistungsbezeichnung II	Change of content, change of priority, assignment, attachment of land mortgages
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">mortgage re-ranking</div> , <div lang="en-x-mtfrom-de">change in the ranking of the mortgage</div> , <div lang="en-x-mtfrom-de">change in mortgage</div> , <div lang="en-x-mtfrom-de">change in mortgage</div> , <div lang="en-x-mtfrom-de">mortgage seizure</div> , <div lang="en-x-mtfrom-de">attachment of mortgage</div>
Leistungstyp	

Modul	Sachverhalt
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	06.10.2024
Fachlich freigegeben durch	
Handlungsgrundlage	§ 13 Land Register Act (GBO) § 19 of the Land Register Act (GBO) § 27 of the Land Register Act (GBO) § 41 Land Register Act (GBO) § 42 of the Land Register Act (GBO) § 62 of the Land Register Act (GBO) § 1113 ff. German Civil Code (BGB) §§ 1191ff. German Civil Code (BGB) § 34 Court and Notary Fees Act (GNotKG) Annex 2 Table B
Teaser	The land charges registered in the land register, such as land charges or mortgages, can be changed subsequently.
Volltext	The land charges (land charge, mortgage) registered in the land register can be changed subsequently. Examples of changes include: change of rank pledge or attachment subsequent letter issuing/subsequent letter exclusion The content of the mortgages can also be changed; for example, the interest due date
Erforderliche Unterlagen	Application The person whose rights are benefited by the change (beneficiary) usually submits the application. However, the person who is legally disadvantaged by the entry (affected party) is also entitled to apply. The application must make it clear who is making the application and which law is to be changed and with what content. consent declaration of the person concerned The express consent of the person who is directly affected by the change, i.e. the person who suffers a disadvantage as a result of the change, must be submitted. The permit must be submitted in public or publicly certified form. You can

## Modul

## Sachverhalt

have the certification done by a notary. The requested change must be clearly formulated and consistent with the application. If a representative of a bank is acting or if there is some other representation, proof of authority to represent must be submitted in public or publicly certified form. For banks that have a seal, a seal with signature is sufficient. proof of inaccuracy If the change occurred outside the land register, for example through a contract or judgment, the land register becomes incorrect. In these cases, e.g. a change of company name or seizure, the inaccuracy must be proven by the relevant document in public or publicly certified form. owner consent If the rank of registered mortgages changes, the owners must also give their consent in a notarized form. letter template If the mortgage was registered as a deed of title, you must present the land charge or mortgage deed.

## Voraussetzungen

valid application The land registry procedure is an application procedure. The application must be submitted in writing to the land registry office. The application can be submitted by the owner of the property or by the creditor of the right. declaration of approval The change must be approved by the person concerned (registered creditor). This declaration must be notarized. The creditor must visit a notary for this purpose! pre-registration The right to be changed must already be registered in the land register. The owner must also be visible in the land register.

## Kosten

In most cases, half the fee is charged based on the value of the change (No. 14130 KV to the GNotKG). The amount is determined from Section 34 GNotKG (Appendix 2 Table B).

## Verfahrensablauf

Submit the application for a change of content, change of rank or correction to the responsible land registry office. Submit the person concerned's consent to registration in a publicly certified form. If the ranking of registered mortgages changes, the owner's consent is required. This declaration must be presented in a notarized form. The land registry office checks your documents. Missing documents will be requested. If all documents and requirements are met, the land registry office enters the change in the land register.

Modul	Sachverhalt
	You and the mortgage creditor will be informed of the entry.
Bearbeitungsdauer	The processing time depends on the respective land registry office.
Frist	No
weiterführende Informationen	<a href="https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera">https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera</a> <a href="https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera">https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera</a>
Hinweise	Legal advice is not available at the district court. Please contact the persons authorized to provide legal advice. These are lawyers or notaries. The Public Legal Advice Service (ÖRA) offers low-cost legal advice for people with low incomes.
Rechtsbehelf	In principle, an appeal can be lodged against any decision of the land registry office.
Kurztext	<p>The land charges (land charge, mortgage) registered in the land register can be changed subsequently.</p> <p>Examples of changes include: change of rank, pledge or attachment subsequent letter issuing or subsequent letter exclusion the content of the right (for example, the interest due date)</p>
Ansprechpunkt	<p>If you want to find out exactly who is responsible for your request, please follow the link to</p> <p>Hamburg Service</p>
Zuständige Stelle	Hamburg District Court
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)