

99043003062000

Registration of a leasehold on several plots of land or leaseholds in the land register correction

Heruntergeladen am 24.06.2025

<https://fimportal.de/xzufi-services/S1000020010000013367/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99043003062000
Leistungsbezeichnung I	Registration of a leasehold on several plots of land or leaseholds in the land register correction
Leistungsbezeichnung II	Register a building lease on several properties or on building leases
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">total hereditary building right</div>, <div lang="en-x-mtfrom-de">leasehold for several plots of land</div>
Leistungstyp	
Leistungsgruppierung	

Modul	Sachverhalt
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	04.03.2025
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Section 6a paragraph 1 of the Land Register Act (GBO) https://www.gesetze-im-internet.de/gbo/_6a.html § 13 Land Register Act (GBO) https://www.gesetze-im-internet.de/gbo/_13.html § 19 Land Register Act (GBO) https://www.gesetze-im-internet.de/gbo/_19.html § 29 Land Register Act (GBO) https://www.gesetze-im-internet.de/gbo/_29.html § 43 GNotKG https://www.gesetze-im-internet.de/gnotkg/_43.html § 49 GNotKG https://www.gesetze-im-internet.de/gnotkg/_49.html § 52 GNotKG https://www.gesetze-im-internet.de/gbo/_52.html Annex 1 number 14110 ff. to Section 3 paragraph 2 of the Court and Notary Fees Act (GNotKG) https://www.gesetze-im-internet.de/gnotkg/anlage_1.html § 1 Leasehold Law (Erbbaurecht) https://www.gesetze-im-internet.de/erbbauv/_1.html</p>
Teaser	<p>With a building lease, you can build your own house on someone else's land without buying the property. You pay a regular ground rent for this. You can obtain this right for a single plot of land, for several plots of land or for existing building leases.</p>
Volltext	<p>A hereditary building right gives you the opportunity to build your own property on someone else's land without having to purchase the land. In return, you pay a regular ground rent, which is stipulated in a contract. This contract is valid for up to 99 years. The leasehold can be sold, inherited, or used as collateral for loans. The person or institution providing the land is called</p>

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the leasehold issuer. This can be a municipality, church, foundation, or private individual. A hereditary building right can also cover several properties or existing hereditary building rights. In principle, for the registration of these overall hereditary building rights, the properties concerned must in the same land registry district and are located in the same cadastral district and directly adjacent to each other. This may be deviated from if the properties to be encumbered are close to each other and The subject of the hereditary building right is a single building or a building with associated ancillary facilities on the land to be encumbered or the hereditary building right is to be divided into apartment or partial hereditary building rights. The land registry office enters the hereditary building right into the land register and creates a separate hereditary building land register for this purpose.

Erforderliche Unterlagen

Application by the landowner or the holder of the hereditary building right in a notarized form, if the application also contains the registration permit or written application by the future hereditary building right holder(s) in the case of the creation of a total hereditary building right to several plots of land or several hereditary building rights or by the sub-hereditary building right holder(s) in the case of the creation of a hereditary building right to one hereditary building right and also the registration authorisation of the landowner(s) or the holder(s) of the building lease(s) in a publicly certified form Certificate of clearance from the tax office (further information about this can be obtained from the notary public working in your case) Proof of the agreement between the property owner and the future leaseholder or the superior leaseholder and the sub-leaseholder in a publicly certified form If applicable, a certified map from the land registry office as proof that the properties are close to each other If applicable, substantiation of the fact of the (completed or intended) construction of a single building or a building with associated ancillary facilities on the land or the fact of the intended division of the hereditary building right into residential or partial hereditary building rights (further information on this can be

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	obtained from the notary public acting in your case) if necessary, further evidence and approvals
Voraussetzungen	<p>Requirements for the overall hereditary building right</p> <p>You agree on the leasehold with the owner of the property or with the holders of the leasehold. A note is entered in Section II of the land register of the properties concerned. A separate hereditary building land register is created. Requirements for a subleasehold</p> <p>An agreement between the holder of the superior building lease and the holder of the sub-lease is required. The sub-heritage right is entered in the land register of the upper heritage right. A separate hereditary building land register is also created for the sub-hereditary building right.</p>
Kosten	<p>Fees are charged for registering the leasehold. The amount of the fees depends on the transaction value. They range from a minimum of EUR 15 to a maximum of EUR 26,585. The amount of the fee is calculated according to the Court and Notary Fees Act (GNotKG). Additionally, notary fees apply. Please inquire with your notary public about the amount of these fees.</p>
Verfahrensablauf	<p>You apply for registration at the land registry office. As a rule, the notary who has certified or authenticated the documents required for registration arranges the registration. The responsible authority checks the required documents and requests additional documents or information if necessary. The leasehold land register is created. The hereditary building right is registered. You will receive a registration notification. You will receive the invoice from the responsible authority. You pay the bill.</p>
Bearbeitungsdauer	The processing time depends on the individual case.
Frist	no
weiterführende Informationen	<p>https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera</p> <p>https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera</p> <p>https://www.notar.de/notarsuche/notarsuche</p> <p>https://www.notar.de/notarsuche/notarsuche</p>

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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	land registry complaint
Kurztext	<p>Possibility to build your own building on someone else's land without buying the land Payment of a regular ground rent, set out in a contract with a term (up to 99 years) Leasehold can be sold, inherited or used as security for loans Leasehold issuers can be municipalities, churches, foundations or private individuals Leasehold can cover several plots of land or existing leaseholds In principle, for the registration of these overall hereditary building rights, the properties concerned must in the same land registry district and are located in the same cadastral district and directly adjacent to each other. This may be deviated from if the properties to be encumbered are close to each other and The subject of the hereditary building right is a single building or a building with associated ancillary facilities on the land to be encumbered or the hereditary building right is to be divided into apartment or partial hereditary building rights. Registration of the hereditary building right in the land register and creation of a separate hereditary building land register by the land registry office</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)