

Unschädlichkeitszeugnis bei Grundstückseigentum erteilen

Do you want to apply for a certificate of innocuousness for real estate property?

Competent Department

- [Landesamt GeoInformation Bremen](#)
- [Vermessungs- und Katasteramt Bremerhaven](#)

Basic information

The certificate of innocuousness replaces the declaration of release from lien of the mortgagee and real creditor(s) in case of cancellation of a right to a part of the real estate to be written off.

The certificate of non-detriment certifies that the sale, exchange or gratuitous transfer of a part of the land (of small value and size) from the uniformly encumbered real estate will not harm the interested parties. The issuance of a certificate of non-injury is an administrative act, therefore, according to the Administrative Procedure Act, the parties involved must be heard. The hearing shall take place in writing and a deadline shall be set.

Requirements

- The address of the land plot or the land parcel number as the cadastral designation must be known.
- The applicant has a legitimate interest and the parcel is of minor value and extent in relation to the remaining part of the land, the beneficiary is expected to suffer a disadvantage and the rights of the beneficiaries are only slightly affected.

What documents do I need?

- Identity card
- Power of attorney of the owner (if required)
- Documents necessary to assess the facts of the case
 - Purchase contract
 - current extract from the land register
 - current addresses of the persons ü of the beneficiaries of the land plot
 - Proof that the permission of the entitled party or parties entitled only under unobstructed ä ltnism to be obtained with undue difficulty
- Application for certificate of innocuousness

Procedure

- Informal letter or application with details of the purchase agreement and the encumbrance(s) in the land register, written hearing of the parties involved if necessary.
- The decision on issuance always depends on the individual case. After receipt of the application, a direct refusal may be issued, alternatively a written hearing of the parties involved will be coordinated. If the outcome of the proceedings is positive, a notarized certificate of no objection is served.

Legal bases

- [Kostenverordnung für das amtliche Vermessungswesen und die Gutachterausschüsse für Grundstückswerte nach dem Baugesetzbuch \(VermWertKostV\)](#)

More information

- Necessity of issuance of a certificate of harmlessness exists only if the parting piece is of small value and size.
- Therefore, a certificate of innocuousness is rarely required in the context of private purchase contracts. More often, the case arises when municipalities acquire land for road widening or land consolidation.
- The certificate of no objection can be applied for in person or in writing (by mail or fax) at the State Office of Geoinformation.
- The application cannot be made by telephone.

How long does it take to process

Depending on the nature of the charges and due to deadlines to be met, up to 1 year.

What are the costs?

200,00 EUR up to ten participants

70,00 EUR Surcharge for each additional ten participants or part thereof