

Real estate broker, property developer, construction consultant, loan broker and residential property manager - licence

Anyone who wishes to

- * arrange for the conclusion of contracts for property, land rights, commercial premises, residential space on a commercial basis or to provide evidence of providing for the opportunity of concluding such contracts (real estate broker)
- * arrange for the conclusion of loan contracts or who provides evidence that the opportunity for concluding such contracts was arranged (loan broker)
- * prepare or execute construction projects as a building contractor in their own name on their own account or on account of a third party and intends to use assets of buyers, tenants, leaseholders or other users or from applicants for the right to buy or use the property (property developer)
- * commercially prepare or execute construction projects as a construction consultant in the name and on account of a third party (construction consultant)
- * manage the joint property of apartment owners or to manage tenancy relationships for residential space as a service for third parties (residential property manager),

on a commercial basis, requires permission from the competent authority.

The loan contracts are limited to consumer loans.

A separate permit as a [<https://service.berlin.de/dienstleistung/327968/>real estate loan broker]] is required for brokering consumer real estate loans.

A separate permit as a [<https://service.berlin.de/dienstleistung/327479/>financial investment broker]] is required for brokering participation loans, subordinated loans and crowd funding.

In the case of business partnerships (e. g. GbR, OHG, KG), each managing partners is considered a business person. In the case of legal entities (GmbH, UG or AG) permission is granted to the company.

Prerequisites

- Personal reliability
Reliability is verified based on various documents. The applicant must usually submit an excerpt from the Federal Central Criminal Register (certificate of good conduct) and an excerpt from the Commercial Central Register.
- Orderly financial circumstances
It is verified whether the applicant is in debt (of a private or public nature) or if there are any known insolvency proceedings.
- Regular further training for real estate brokers and residential property managers

As a real estate broker and / or residential property manager you are required by law to take part in relevant professional training measures amounting to a total of 20 hours of training for each period of three years. Upon request, a further training declaration and evidence of training performed must be presented to the competent Public Order Office for reviewing. This training requirement applies also for staff members, who are directly involved in performing activities that require permission.

https://www.gesetze-im-internet.de/gewo_34cdv/_15b.html

- Professional liability insurance cover for residential property managers
Residential property managers must provide evidence of valid professional liability insurance cover.

Documents required

- Personal document
Identity card or other official identification document containing a photograph (not required for electronic applications).
Residence permit, if the applicant is not an EU national
- Certificate of good conduct
Certificate of good conduct from the German Federal Central Criminal Register for presentation to an authority (certificate type 0).
The certificate must be applied for in the municipality of residence (in the case of Berlin at any Citizens' Office) for presentation to an authority. This means that it will be sent directly to the competent Public Order Office for the place of business. The certificates must be no older than three months.
They can also be applied [<https://www.fuehrungszeugnis.bund.de/>] for with the Federal Office of Justice.

<https://service.berlin.de/dienstleistung/120926/>

- Excerpt from the Commercial Central Register - natural entity
Statement from the Commercial Central Register for natural entities, for presentation to an authority (certificate type 9).
The certificate must be applied for in the municipality of residence (in the case of Berlin at any Citizens' Office) for presentation to an authority. This means that it will be sent directly to the competent Public Order Office for the place of business. The certificates must be no older than three months.
They can also be applied [<https://www.fuehrungszeugnis.bund.de/>] for with the Federal Office of Justice.

<https://service.berlin.de/dienstleistung/327835/>

- Excerpt from the Commercial Central Register - legal entity
Statement from the Commercial Central Register for legal entities, for presentation to an authority (certificate type 9).
The statement must be applied for with the competent Public Order Office for the place of business.
They can also be applied [<https://www.fuehrungszeugnis.bund.de/>] for with the Federal Office of Justice.

<https://service.berlin.de/dienstleistung/327835/>

- Information from the record of debtors (central enforcement centre)
Information regarding entries must be requested online [<https://www.vollstreckungsportal.de/zponf/allg/willkommen.jsf>] from the

central enforcement centre for the respective federal state.

<https://service.berlin.de/dienstleistung/327028/>

Information from the insolvency register

* Two certificates are required for initiating insolvency proceedings for natural persons who are residents of Berlin. The first certificate for consumer insolvency proceedings must be applied for with the local court responsible for your place of residence, and the second one for regular insolvency proceedings is available from the District Court Charlottenburg
Amtsgerichtsplatz 1, 14057 Berlin.

* The District Court Charlottenburg, Amtsgerichtsplatz 1, 14057 Berlin is responsible for insolvency proceedings for legal entities and private trade companies based in Berlin.

* Applicants residing / operating outside of Berlin please inform themselves about the respective responsibilities of the insolvency courts via the central place and court directory [<https://www.justizadressen.nrw.de/de/justiz/suche>].

<https://service.berlin.de/dienstleistung/327527/>

Up to date excerpt from the Trade Register

Registered companies are required to submit an up to date excerpt from the Trade Register when applying. Legal entities that are in the process of being established (GmbH, AG) are required to submit their partnership agreement or statutes.

https://www.handelsregister.de/rp_web/welcome.do;jsessionid=4B3D1264EA1029E4402CA163C39B9396-n1.tc031n01

Professional liability insurance cover for residential property managers

As a residential property manager you must provide evidence of professional liability insurance cover.

https://www.gesetze-im-internet.de/gewo_34cdv/_15.html

Application for a licence pursuant to § 34c of the Trade Regulations GewO (real estate broker / property developer / construction consultant, loan broker and residential property manager)

https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/mdb-f127283-wintr221_gewo_makler_bautr__ger_baubetr_euer_antrag_01_2017.pdf

Forms

Application for a licence pursuant to § 34c of the Trade Regulations GewO (real estate broker / property developer / construction consultant, loan broker and residential property manager)

https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/mdb-f127283-wintr221_gewo_makler_bautr__ger_baubetr_euer_antrag_01_2017.pdf

Fees

* EUR 100.00 to 1800.00, depending on the administrative effort

Legal basis

- Trade Regulations § 34c section 1
http://www.gesetze-im-internet.de/gewo/__34c.html
- Broker and Property Developer Ordinance
http://www.gesetze-im-internet.de/gewo_34cdv/

More information

- CCI Berlin fact sheet brokerage business
<https://www.ihk-berlin.de/blueprint/servlet/resource/blob/2253218/da12ec71354bc9920a5ebb73c5498e86/makerlerlaubnis-data.pdf>
- Online insolvency information via the common justice portal for the federal states
<https://www.insolvenzbekanntmachungen.de/>
- Determination of the competent court for a written record from the insolvency register
<http://www.berlin.de> <https://www.justizadressen.nrw.de/de/justiz/suche>
- Information about privacy
https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/merkblatt-dsgv.pdf

Link to online processing

<https://www.berlin.de/ea/en/application/login-service-account-berlin/>

Responsible authority

The licence must be applied for with the competent Public Order Office for the place of business. If the place of business is not yet known, approval can also be applied for with the Public Order Office that is responsible for the applicant's place of residence.

Information on this location

Ordnungsamt Neukölln - Zentrale Anlauf - und Beratungsstelle

Address

Juliusstraße 67
12051 Berlin

Current information on this location

Wichtig: Die Beantragung einer Gewerbezentralregister-Auskunft gilt ausschließlich für juristische Personen. Privatpersonen wenden sich bitte an das Bürgeramt.

Barrier-free access

This facility is fully accessible to wheelchairs.
Handicapped parking space available.
An elevator fully accessible to wheelchairs is available.
A WC fully accessible to wheelchairs is available.

Zugang für Rollstuhlfahrer am Haupteingang

Opening hours

Monday: 09.00-13.00 Uhr und nach Terminvereinbarung

Tuesday: 09.00-13.00 Uhr und nach Terminvereinbarung

Wednesday: nach Terminvereinbarung

Thursday: 15.00-18.00 Uhr und nach Terminvereinbarung

Friday: nach Terminvereinbarung

Information for customers with an appointment

Wichtig: Die Beantragung einer Gewerbezentralregister-Auskunft gilt ausschließlich für juristische Personen. Privatpersonen wenden sich bitte an das Bürgeramt.

Public transportation

S-Bahn Neukölln: S41, S42

U-Bahn Grenzallee: U7

Bus M171

Contact

Telephone: (030) 90239-6699

Fax: (030) 90239-4988

Internet:

<http://www.berlin.de/ba-neukoelln/politik-und-verwaltung/aemter/ordnungsamt/>

E-mail: ordnungsamt@bezirksamt-neukoelln.de

Payment methods

Payment only by debit card (Girocard) (with PIN) at this location.

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