



## Caution, trap!

### Want to have an allotment garden? You can't buy it!

It's commonly observed that allotment gardeners, either before or after ending their allotment lease agreement, often express something similar on the internet, in newspapers, or through notices: "Allotment garden for sale," "Allotment garden available," "Green oasis ready for occupancy – price negotiable." The intention is clear: to attract potential buyers for their "property" using these statements. However, the reality is different: these are actually leased allotment gardens regulated by the Federal Allotment Garden Law (known as "Bundeskleingartengesetz" in German), and they cannot be sold by either the allotment garden tenant or an allotment garden association.

### How does the tenant change work correctly?

If you're interested in renting an allotment garden, it's important to get in touch with the District Association of Allotment Gardeners in your preferred area and have your name added to the list of potential renters. If a sublease arrangement is established, the new tenant is required to purchase any structures, outdoor facilities, and plants that were lawfully established on the allotment plot by the previous tenant, provided they are typical for allotment gardening activities.

The compensation amount for changes in subtenants is calculated for all allotment gardens under the Berlin State Association of Allotment Gardeners (official German name: "Landesverband Berlin der Gartenfreunde e. V.") using assessments guided by the Valuation Guidelines for Allotment Gardens (in German, "Wertermittlungsrichtlinie für Kleingärten").

If the evaluation indicates a positive final sum, the departing tenant will only receive that amount as compensation. The purchase price is determined by the assessment findings, which are presented as a compensation sum in the assessment report. This compensation sum represents the maximum payment required from an applicant to purchase the property from the outgoing tenant.

If the tenant who is leaving wishes to sell their furniture, kitchen equipment, or garden tools, they can create a private sales agreement. There's no requirement to acquire this inventory, and it won't impact the new lease agreement. However, it might be worthwhile to think about it, as purchasing new items usually comes at a higher cost.

So, remember: Exercise caution when considering "buying a garden"! The appropriate point of contact is consistently the District Association of Allotment Gardeners, who will be your future contractual partner.

*Landesverband Berlin der Gartenfreunde e. V., Berlin, 1. September 2023*

[Contact the district federations of allotment gardeners in your area in Berlin.](#)