INFORMATION

Land acquisition by foreigners

In the approval process, the term “foreigner” refers to persons who do not hold Austrian citizenship, legal persons who have their head office abroad, and legal persons who have their head office in Austria but whose majority holders are foreigners.

Approval process:
Foreign nationals who wish to acquire a property, building right or an easement (such as a right of habitation) in Vienna need a permit to guarantee the validity of the legal transaction. All types of legal transactions such as contracts of sale, deeds of gift and easement agreements are covered under these regulations. The applicant must provide proof that the legal transaction is of social, general economic, or cultural interest.

The transaction is considered to be of social interest if the property is acquired to satisfy the individual housing needs of the applicant. The transaction is also of social interest if it anticipates a testamentary disposition from a close relative in the form of a deed of gift to provide accommodation for the applicant.

The transaction is considered to be of general economic interest if the property is acquired for the purpose of establishing, expanding or maintaining a business.

The transaction is considered to be of cultural interest if a foreign scientist wants to live in Austria to teach or research here.

Required documents:
- contract or draft contract
- current excerpt from the land register
- proof of citizenship of the buyer (e.g. passport)
- for legal persons: company documents (current extract from the company register, articles of association, business licence, etc.)
- for associations: extract from the register of associations and articles of association as well as proof of citizenship of the members of the management body of the association
- purpose of use of the acquired object
- valid residence permit

No application is required in the following cases:
- If spouses acquire a property together and one of them is an Austrian citizen
- If a cohabiting couple acquires a condominium (freehold apartment) together in accordance with Art. 13 of the 2002 Austrian Condominium Act (WEG) and one of the partners holds Austrian citizenship
- If a document that confirms the acquisition of a building (movable property) on third-party land is deposited at court
- Acquisition of a property due to a last will and testament or a certificate of inheritance
- The acquisition of real estate outside Vienna is subject to the legal regulations of the federal province concerned
- EEA nationals (natural and legal persons) and Swiss nationals (natural persons) do not need a permit or negative certification. A negative certification can be issued upon application.
Negative certification:
The following persons can apply for a confirmation from the competent authority that they are exempt from the obligation to obtain a permit under the legal regulations of the Vienna Act on Land Acquisition by Foreigners:
- Iranian citizens who are not gainfully employed
- Swiss legal persons
- Favoured due to state treaty regulations - employees of the following institutions: UNO, CTBTO, ICMPD, UNIDO, OSCE, Joint Vienna Institute, OPEC Fund, Wassenaar Arrangement (WA), European Patent Organisation (EPO), IAEO/IAEA and CTBTO (in case of CTBTO also for spouses).

Required documents to apply for a negative certification:
- Application for issuance of a negative certification
- Contract or draft contract
- Current excerpt from the land register
- Proof of citizenship of the buyer (e.g. passport)
- Extract from the company register or commercial register (for legal persons) as well as proof of citizenship of the majority shareholders (for companies with their head office in Austria)
- Employees of international organisations also need a current confirmation (in the original) from the competent personnel office (legitimation card)

In some cases it may be necessary to submit additional documents. These can also be submitted via post, fax, e-mail, or online.

Please submit the original and a copy of all documents upon request. Depending on the country of issue the original documents need an apostille or diplomatic certification.

Please submit a certified translation of all documents that were not originally issued in German.

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Thursday: additionally from 3.30pm to 5.30pm

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Bank account no.: 00696212729
Bank code: 12000
IBAN: AT39 1200 0006 9621 2703
BIC: BKAUATWW

Please remember to quote your customer details! (You can find your customer details in the notification above the signature.)