



AGAINST THE SELLOUT OF THE CITY!

For the preservation of Hermannstraße 48!

Press release 08/09/2021

Legal Battle over Right of First Refusal – Future of H48 Uncertain

At the start of the week we, the renters of Hermannstraße 48 in Neukölln, found out that a lawsuit had been filed at the administrative court against the pre-purchase of our houses.

The lawsuit is against the district of Neukölln, which in February 2021 exercised the right of first refusal ('Vorkaufsrecht') in favour of the association set up by our house community. Both the current owner and the buyer – a newly-formed company with personal and geographical connections to Sahr Immobilien GmbH in Saxony – had already appealed against this ruling; this appeal was rejected by the district at the start of August. Now, all participants must prepare for a drawn-out legal battle. Until this is resolved, the house remains with the previous owner.

This owner must therefore continue for the time being to manage a house which she wanted to sell; and we as a house community must continue to fear for our home, which we would like to buy and run ourselves. The fact that a lawsuit has nevertheless been filed is clearly a question of the profit which could be generated from our home. If the purchase were to be completed as planned, the 50 or so inhabitants of the front buildings, who currently pay moderate rents, would be threatened with rent rises and displacement. If the residential use of the former factory building in the back courtyard, which has been inhabited since the 1980s, is contested, then in all probability this building will soon be threatened with transformation into more luxurious condominiums, and the 80 or so neighbours who live there will be forced out.

The fact that the buyers could not care less about the interest that we, the renters, have in buying and running the buildings ourselves has already become clear. In fact, they seem furious that we want to take 'their' property away from them: back in January, an employee of Sahr Immobilien GmbH insulted us in an email (without deleting his signature in advance).

The district demanded in the aversion agreement ('Abwendungsvereinbarung') both the protection of the inhabitants of the front houses and the continued residential use of the factory building. This, they said, was the only way to "preserve the composition of the residential population" (as stated in the right of first refusal). The buyer did not accept the the provisions for averting the pre-purchase and thus lost the legal possibility of buying the house. With this lawsuit against the right of first refusal, the buyer is now trying to regain this possibility without having to follow the provisions of the district.



In the meantime, the connection between Sahr Immobilien and a company called Accentro GmbH shows that the action of the district was right and proper in order to protect us renters from displacement. The real estate company, based in Kantstraße in Berlin, openly advertises on its website the purchase, transformation into condominiums, and profitable resale of property – and is well known for its propensity for suing unwelcome renters. For us, it is beyond doubt that such real estate companies will trample all over the goals of neighbourhood protection ('Milieuschutz').

The position and behaviour of the (still current) owner of H48 is hard to follow: although she allowed the former commercial units to be converted, and rented them for residential use by shared flats, she did not apply for a change of status to legalise them as living space. Now, she is attacking the neighbourhood protection of precisely those to whom she has been renting the space.

It is an open question what her motivation for this behaviour is, and why she has not stepped back from the purchase contract to shorten a legal battle which will last years. Stepping back from the contract would mean we could immediately become the owners – and she would receive the full purchase price.

We can only speculate about why it is so important for her that H48 goes to a dubious property firm, and not to us.

In any case, our position is clear: neighbourhood protection must apply to everyone!

Instead of sale to a profit-oriented real estate company, a purchase by the non-profit association of our house community must be made possible. We are both financially and organisationally well-positioned and more than ready to manage our own home in the future.

Houses to those who live in them! Living space should not be a commodity!

Militant greetings,

The H48 house community

More Information and Social Media:

- h48bleibt.org
- Instagram: [h48bleibt](https://www.instagram.com/h48bleibt)
- Twitter: [@H48bleibt](https://twitter.com/H48bleibt)
- [#h48](https://twitter.com/H48bleibt) [#h48bleibt](https://twitter.com/H48bleibt)

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