

Stephan Klein

Grundrechtsschutz in der Zwangsvollstreckung

Zur Vereinbarkeit des zwangsvollstreckungsrechtlichen Erwerbs schuldnerfremden Eigentums mit Art. 14 und 19 Abs. 4 GG

[The Protection of Fundamental Rights in Compulsory Enforcement. On the Compatibility of Acquiring Property not Belonging to the Debtor under Compulsory Enforcement Law with Articles 14 and 19 (4) of German Basic Law.]

Published in German.

According to common opinion, the acquisition of property in the course of execution is a sovereign act. Even a third party owner who is not a debtor therefore loses ownership of the object of execution. However, the question arises as to whether this is in line with constitutional rights under articles 14 and 19 (4) of Germany's Grundgesetz. Insofar as there is a violation of these rights, the resulting consequences have to be examined. In doing so, constitutional requirements must be observed while simultaneously taking the modern dogmatics of enforcement law into account.

Stephan Klein Geboren 1989; Studium der Rechtswissenschaft an der Universität Heidelberg und der Columbia University in New York; Referendariat am Landgericht Darmstadt; 2020 Promotion; seit 2018 Rechtsanwalt.



2021. XXIII, 322 pages. VVerfR 183

ISBN 978-3-16-160240-5
sewn paper 79,00 €

ISBN 978-3-16-160241-2
eBook PDF 79,00 €

Order now:

https://www.mohrsiebeck.com/en/book/grundrechtsschutz-in-der-zwangsvollstreckung-9783161602405?no_cache=1

order@mohrsiebeck.com

Phone: +49 (0)7071-923-17

Fax: +49 (0)7071-51104