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Neighbor Law — Quiet Hours, Noise, and Your Rights

Everything you need to know about quiet hours, noise nuisance, and neighbor disputes in Germany.

Deutsche Begriffe: Nachbarschaftsrecht | Lärmbelästigung | Ruhezeiten | Immissionen | Grenzabstand | Nachbarschaftsstreit

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Why is Neighbor Law Important?

In Germany, many people live in **rental apartments**, often in multi-family buildings with **thin walls**. Peaceful coexistence requires mutual **consideration** — and clear rules.

Neighbor law (Nachbarschaftsrecht) is regulated by several laws:

- **Civil Code (BGB)** — §§ 903–924 (property rights and immissions)
- **State Immission Control Act** — noise protection and quiet hours
- **House rules** — individual landlord regulations
- **State neighbor laws** — regional regulations

Quiet Hours in Germany

Statutory Quiet Hours

Period	Rule
Night quiet	22:00–6:00 (sometimes until 7:00)

Period	Rule
Midday quiet	13:00–15:00 (not mandatory everywhere, often in house rules)
Sundays and holidays	all-day quiet (like night quiet)

What Does "Quiet" Mean?

During quiet hours, you must:

• **Keep room volume** — music, TV, and conversations must **not be audible outside your apartment**

• **No loud work** — drilling, hammering, lawn mowing

• **No loud appliances** — washing machine and dryer (if they bother others)

What Is Allowed?

• Normal **living room noise** (cooking, showering, normal conversations)

• **Children's noise** — children can play and cry; this is not legally considered noise! (BGH ruling)

• **Music at room volume** — even during quiet hours

• **Emergencies** — repairs for burst pipes, etc.

Typical Neighbor Disputes

Noise

Noise is the **most common dispute** between neighbors. Typical cases:

• **Loud music** — especially at night or on weekends

• **Stomping and banging** — in rental apartments with wooden floors

• **Dog barking** — continuous barking can be an offense

• **Construction/renovations** — drilling only during permitted hours

• **Parties** — birthdays and celebrations: max. 1–2× per month, respect quiet hours from 22:00

Myth: "You can be loud once a month" — this is **false**! There is no right to a "noise night" per month. Quiet hours always apply.

Grilling

Grilling on a **balcony or terrace** is basically allowed, but:

• Excessive **smoke and smell** can be prohibited

• Some house rules **forbid** charcoal grills on balconies

• **Electric grill** is usually permitted

• **Frequency** — 2–3× per month is considered reasonable (court rulings vary)

• Informing neighbors in advance is **polite** and prevents conflicts

Smoking

• Smoking in your **own apartment** and on your **balcony** is basically allowed

• With **excessive smoke nuisance**, neighbors can demand cessation

• **BGH ruling** (2015): smokers must accept time restrictions if neighbors are significantly disturbed

• Some rental contracts contain a **smoking ban** on the balcony

Smells

• **Cooking** — normal cooking smells must be tolerated

• **Strong smells** (e.g., frying, smoking) — close windows, use exhaust hood

• **Garbage** — do not store garbage on balcony or in stairwell

Your Rights as a Neighbor

Right to Cessation

If a neighbor **continuously violates** quiet hours or causes unreasonable nuisance, you can:

1. Have a talk — politely and factually

2. Inform the landlord — in writing, preferably with a **noise log**

3. Contact the local authority — for noise disturbance (especially at night)

4. Call the police — for acute nighttime disturbances

5. Rent reduction — for persistent interference (10–20% depending on severity)

6. Lawsuit — last resort: cessation suit in district court

Keeping a Noise Log

For complaints or rent reduction, keep a **noise log**:

• **Date** and **time** (from–to)

• **Type of noise** (music, stomping, drilling, shouting)

• **Volume/impact** (TV inaudible, sleep disturbed, walls vibrating)

• **Witnesses** (roommates, other neighbors)

Keep the log for at least **2–4 weeks**.

Resolving a Neighbor Dispute

1. Direct Conversation

Often neighbors don't realize they're causing disturbance. A **friendly conversation** solves many conflicts. Tips:

• Stay factual, no accusations

• Mention specific incidents

• Find a solution together

2. Mediator / Arbitrator

Many states have **mediators** or **arbitrators** who help with neighbor disputes:

• Free or cheap (20–50 €)

• Neutral mediation

• In some states **mandatory before lawsuit** (e.g., NRW, Bavaria, Hesse)

3. Involve the Landlord

The landlord has a **duty of care** toward all tenants. They can:

• **Warn** the disturbing tenant

• Enforce the **house rules**

• In extreme cases: **terminate** the lease for persistent disturbance of household peace

4. Local Authority / Police

• **Local authority** — for persistent problems (noise disturbance, garbage, animals)

• **Police** — for acute nighttime disturbance (emergency number 110 or local number)

• **Fine** for noise disturbance: **50–5,000 €**

Special Rules in Rental Apartments

House Rules

The **house rules** are part of the lease. Typical regulations:

- Stairwell cleaning (scheduled day)
- Quiet hours (often stricter than legal requirements)
- Use of common areas
- Rules for pets
- Clothesline use on balcony

Stairwell

- **Do not leave:** shoes, baby carriages (fire safety!), garbage
- Exception: baby carriages can be left if no **fire safety concerns** exist (court ruling)
- **Keep clean** — observe the scheduled cleaning day

Tips for Foreigners

1. Learn the rules — read the house rules and ask your landlord

2. Cultural differences — in many countries, being loud is normal. In Germany, quiet is highly valued

3. Greet your neighbors — a friendly "hello" when moving in makes a good impression

4. In conflicts: stay calm — disputes escalate quickly. When in doubt, contact your landlord