

General Information

In order to harmonise consumer protection, the EU adopted the new Consumer Protection Directive in 2011. The act for the implementation of this directive entered into force in Germany in 2014. The EU Directive strengthened and harmonized consumer rights within the EU, particularly in regard to online trade.

The chambers of the Berlin District Court currently hold differing views in regard to this directive's scope of application for changes to rental agreements based on section 558 of the German Civil Code (*Bundesgesetzbuch*). Until a Supreme Court ruling is passed by the German Federal Court of Justice, we would like to draw your attention here to your legal right of revocation. At the same time, however, we wish to point out that by revoking your declaration of consent, no amendment to the contract will take place, meaning that we would therefore be prompted to enforce the consent through legal proceedings.

Revocation Instructions

Right of revocation

As your consent to the rent increase initiates a modification of the rental agreement, you have the right, without stating any reasons, to cancel this amendment to the agreement within fourteen days. The revocation period is fourteen days from the date on which the agreement is concluded, i.e. from the date on which we receive your declaration of consent. You can exercise your right of revocation online and use the template revocation form for this purpose, although this is not mandatory. You can also inform us of your decision to exercise your right of revocation by means of a clear statement (e.g. a postal letter, fax or email). The deadline for revocation is deemed to have been met if you send notification of the exercising of your right of revocation prior to the end of the revocation period.

Consequences of Revocation

Should you revoke your acceptance of the rent increase, we are obligated to promptly refund to you all payments that we have received from you within fourteen days from the date on which we receive notification of your revocation. Unless otherwise expressly agreed with you, we shall use the same means of payment for this refund as you used for the original transaction; you shall not be charged any fees for this refund.

If you have requested that the provision of services be commenced during the revocation period, you must pay us an appropriate amount equalling the portion of the services which have already been rendered at the time at which you inform us that you are exercising your right of revocation - compared to the overall scope of the services included in the agreement.

Template – Right of Revocation Form

Helvetica Services GmbH
Kantstr. 115
10627 Berlin

[Your first name and surname]

Telephone: [Your telephone number]

[Street and house number]

Email: [Your email address]

[Postcode and town/city]

[Location], [date]

Revocation of my/our* Declaration of Consent dated [date]
Your tenant number:

Dear Sir/Madam,

I*/We hereby revoke my/our* declaration of consent to the rent increase dated xx xx xxxx in due time.

(*) delete as applicable

[Location, date, signature]