

**English Translation
of Tenancy Agreement
- subject to change -**

**Studierendenwerk Hamburg Tenancy Agreement
Halls of Residence, Hammerbrook**

Schedule of operating costs

§ 1 *Operating costs*

(1) Operating costs are the ongoing costs incurred by the owner or a party in possession of heritable building rights from ownership or heritable building rights specific to the property or from the prescribed use of the building, its annexes, equipment, facilities and the land. Payment in kind and work carried out by the owner or party in possession of heritable building rights may be rated at the value that might be ascribed to a similar service rendered by a third party – in particular a contractor; the V.A.T. charged by the third party may not be applied.

§ 2 *Detailing of operating costs*

Operating costs consistent with § 1 are:

- 1. running public charges levied on the property**, with particular specificity to property tax;
- 2. water supply charges**, incorporating water consumption costs, basic fees, costs associated with renting or otherwise using water meters and costs accruing from their use, inclusive of costs of verification as well as calculation and allocation, costs of maintenance of water regulators, costs of running an in-house water supply plant and a water treatment plant, including preparation materials;
- 3. drainage costs**, incorporating charges for building and site drainage, costs of running a corresponding privately held plant and costs of operating a drainage pump;
- 4. costs**
 - a) of running the central heating unit, inclusive of the exhaust system**, incorporating costs of spent fuels and their supply, operating current charges, costs of the operation, monitoring and maintenance of the unit, the regular review of its operational readiness and operational safety, inclusive of its calibration by a specialist, the cleaning of the unit and of the operating area, costs of measurement consistent with the Federal Pollution Control Act (BImSchG), costs associated with renting or otherwise using equipment permitting metering of consumption, inclusive of the costs of verification, as well as calculation and allocation

or

 - b) of running the central fuel supply unit**, incorporating costs of spent fuels and their supply, operating current charges and monitoring costs, as well as costs of cleaning the unit and the operating area

or

 - c) of the independent commercial supply of heating, also from units consistent with point a)**, incorporating heating supply charges and costs of running related systems within the establishment consistent with point a)

or

 - d) of the cleaning and maintenance of floor heating systems and domestic gas stoves**, incorporating costs involved in the removal of water deposits and combustion residues in the unit, costs of regular review of operational readiness and operational safety and appropriate calibration by a specialist, as well as measurement costs consistent with the Federal Pollution Control Act (BImSchG);

Leased property: Hammerbrookstraße 42 a/b, 20097 Hamburg

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5. costs

a) of running the central hot water supply unit, incorporating costs of water supply consistent with no. 2, insofar as these shall not already have been covered therein, and the costs of water heating consistent with no. 4 point a)

or

b) the independent commercial supply of hot water, also from units consistent with point a), incorporating hot water supply charges and costs of running related systems within the establishment consistent with no. 4 point a)

or

c) of the cleaning and maintenance of hot water appliances, incorporating costs involved in the removal of water deposits and combustion residues in the interior of the appliances, as well as costs arising from regular review of operational readiness and operational safety and appropriate calibration by a specialist;

6. costs of inter-connected heating and hot water supply units

a) in central heating units consistent with no. 4 point a) and consistent with no. 2, insofar as they shall not already have been covered therein,

or

b) in the independent commercial supply of heating consistent with no. 4 point c) and consistent with no. 2, insofar as they shall not already have been covered therein,

or

c) in inter-connected floor heating systems and hot water supply units consistent with no. 4 point d) and consistent with no. 2, insofar as they shall not already have been covered therein;

7. costs of operating a passenger or goods lift, incorporating operating current costs, costs involved in the operation, monitoring and maintenance of the unit, the regular review of its operational readiness and operational safety, inclusive of its calibration by a specialist, as well as the cleaning of the unit;

8. costs of street cleaning and waste disposal, incorporating – specific to costs of public street cleaning – payable charges and costs of corresponding privately undertaken initiatives, and – specific to costs involved in waste disposal – in particular charges payable towards waste disposal, costs of corresponding privately undertaken initiatives, costs of operating waste compressors, waste disposal units, waste extraction units and of operating bulk waste collection facilities, inclusive of costs arising from calculation and allocation;

9. costs of cleaning the premises and of pest control, incorporating – specific to the costs of cleaning the premises – costs for cleaning areas within the building that are communally used by occupants, such as access points, hallways, stairwells, basements, attic space, laundry rooms, the passenger lift;

10. garden maintenance costs, incorporating maintenance costs specific to landscaped areas, inclusive of the cultivation of plants and shrubs, the maintenance of playgrounds, inclusive of sand replacement and the maintenance of seats, access points and driveways designated for private use;

11. lighting costs, incorporating electricity costs for exterior lighting and illumination of portions of the building that are communally used by occupants, such as access points, hallways, stairwells, basements, attic space, laundry rooms;

12. the costs of chimney cleaning, incorporating sweeping charges according to the definitive scale of fees, insofar as they shall not already have been covered as costs within the parameters of no. 4 point a);

13. costs of property and liability insurance, notably incorporating the costs of insuring the building against fire, high winds, water and other elemental damage, glass breakage insurance, liability insurance in respect of the building, the fuel tank and the lift;

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14. caretaker costs, incorporating remuneration, social contributions and all services of monetary value that the owner or the party in possession of heritable building rights shall apportion to the caretaker for that party's work, insofar as this shall not relate to maintenance, repair, refurbishment, cosmetic repairs or property management; insofar as work shall be carried out by the caretaker, costs for work carried out in accordance with nos. 2 through 10 and 16 may not be applied;

15. costs

a) of operating the shared antenna system, incorporating operating current costs and costs arising from the regular review of its operational readiness, inclusive of its calibration by a specialist, or user fees for an antenna unit extrinsic to the building, as well as re-transmission charges arising from the Copyright Act,

or

b) of operating the private distribution system that is connected by means of a broadband network; these incorporate the costs detailed in point a) and, furthermore, the ongoing monthly basic fees for broadband connections;

16. costs of operating laundry equipment, incorporating operating current costs and costs involved in the operation, monitoring and maintenance of the equipment, the regular review of its operational readiness and operational safety, as well as water supply costs consistent with no. 2, insofar as they shall not have been covered therein;

17. sundry operational costs, incorporating operational costs consistent with § 1, which are not covered by nos. 1 through 16, notably:

- a) maintenance of smoke extraction systems, smoke alarms, carbon dioxide warning systems
- b) inspection fees for fire extinguishers
- c) maintenance of door control units (e.g. door-mounted closing devices)
- d) window maintenance
- e) operating and maintenance costs of facilities available to the house occupants (e.g. sports areas, sauna, swimming pool), inclusive of their cleaning
- f) costs arising from the engagement of a doorman or site security service / security guard protection unit
- g) cleaning of the operating areas housing laundering and drying facilities
- h) maintenance of sports equipment and entertainment devices
- i) costs of regular gutter cleaning
- j) costs arising from an e-check in order to routinely review operational safety
- k) costs of statutorily prescribed PVO reviews
- l) inspection costs specific to gas connections in order to routinely review operational safety (in accordance with the technical regulations for gas facilities [TRGI], currently required every 12 years)
- m) pest control costs
- n) costs of routine extraction and testing of water samples (Drinking Water Ordinance)
- o) regular purification of drinking water and waste water, as far as is necessary
- p) waste disposal unit costs
- q) maintenance of lightning protection systems
- r) maintenance of emergency power generators
- s) maintenance of aeration plants
- t) maintenance of bell alarm, closure and intercom systems, inclusive of the programming of card and access systems and the relevant doors
- u) maintenance of sprinkler systems