AVIVRE CONSULT GMBH

Press release

Bad Homburg, 14 October 2025

Checklist for changing operators of care properties

Lease agreements expiring after 15–25 years pose major challenges for operators and owners. If no agreement can be reached, there is a risk of a change of operator – with potentially serious consequences for residents, staff and property owners.

How can you ensure that neither residents nor nursing staff suffer if the operator or property owner does not want to or cannot renew the contract?

The following checklist uses a timeline to ensure that property owners and operators go through this process professionally.

18–24 months before the end of the contract

- Review the lease agreement: Notice periods, renewal options, maintenance obligations.
- Analyse profitability: current rent, market rent, investment requirements.
- Discussions with current operator: interest in renewal? Provide clarity at an early stage.

12–18 months before the end of the contract

- Start market analysis: which operators are active and expanding in the region?
- Approach initial operators: Either directly or via specialized consultants/networks.
- Inform authorities: Notify the care home supervisory authority and health authority in advance of a possible change of operator.
- Prepare documents: Construction plans, permits, MDK audit reports, investment status.

9–12 months before the end of the contract

- Invite interested parties: viewings, discussions, obtain indicative offers.
- Due diligence: review candidates (creditworthiness, references, operational experience, quality).
- Seek legal advice: prepare draft contract, review risks.

6–9 months before the end of the contract

- Intensify negotiations: rent, contract term (usually 20–25 years), indexation, maintenance.
- Involve the authorities: new operator must apply for an operating license.
- Letter of intent: prepare a binding agreement with the preferred operator.

3–6 months before the end of the contract

- Finalize and sign the lease agreement.
- Draw up a handover plan: technical acceptance, inventory lists, renovations if necessary.
- Clarify staff transfer: observe Labour law transitions in accordance with Section 613a of the German Civil Code (BGB).
- Inform nursing care funds and cost bearers: ensure smooth refinancing.

0–3 months before the end of the contract

- Carry out handovers: keys, technical equipment, IT, resident information.
- New operator start operating license actively, employees taken over, residents informed.
- Monitoring: regular exchange with new operator during the first 6 months.

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