

On February 4th we received a formal letter filed in court from Startezia GmbH to vacate Køpi Wagenplatz (aka Køpiplatz) by February 28th 2021. Køpi Wagenplatz did not comply with this ultimatum to vacate it in three weeks after more than 20 years of existence. The first court day is set to the 10th of June 2021.

Køpi has serious concern and questions about the ownership and the hired lawyers defending Startezia GmbH.

Køpi & Køpiplatz' residents wonder if the sales of the properties was legal.

Since 2007 Køpi and Køpiplatz have been bought, sold and auctioned by companies that are all sub-companies of the same company, Sanus AG and its director Siegfried Nehls.¹

Nehls and Sanus acquired Køpi in 2007 through a network of companies, with Plutonium 114 GmbH ultimately acting as the owner. In 2013, a new company, Startezia GmbH, led by the same managing director as Novum Köpenicker Straße 133-138 GmbH (previously Plutonium 114 GmbH²), acquired Køpi & Køpiplatz in an insolvency auction came into play in a forced auction of two partial plots of the Wagenplatz site. Startezia now officially owns the entire site. This is however just a letterbox company that ultimately leads back to Sanus.³

Sanus AG and Siegfried Nehls are known to create intransparent constructions that allow for tax evasions and speculation.

Sanus AG has been the target of contradictory reporting in the past. There have been reports of disappointed creditors, legal investigations and links to the S&K Group has been accused of serious fraud and speculation in the past.

Siegfried Nehls was one of the main defendants in the investigations into the S&K Group which defrauded 240 million euros.⁴ He was accused of having commissioned so-called "general contractors" for several construction projects in Berlin, who in turn hired smaller craft enterprises as subcontractors. But after the end of the construction work, the "general contractors" went bankrupt each time. Therefore the crafts enterprises were not paid for the most part. The construction projects in question were in Frankfurter Allee, Winterfeldtstrasse, Meyerheimstrasse, Knaackstrasse and Niederbarnimstrasse.⁵

Sanus AG is apparently enriching itself by setting up a highly complex and non-transparent project development fund as an investment model. More than 900 private small investors have been blinded by Sanus AG since 2012 through advice on investments and ultimately ripped off with enormously high commissions.^{6 7 8}

In 2015 Sanus AG name was dropped in a lobbying and corruption scandal involving a multi-million Euro deal in prime property in Potsdam. Left-wing parliamentary group leader Gregor Gysi and Brandenburg's state finance minister Christian Görke (Linke) faced questions over favouring Sanus AG: Görke had let the Berlin firms Eureka and Sanus AG win the bid for the purchase of the former state parliament building in Potsdam, although a higher bid from another Berlin firm had previously been rejected because it "could not convince either the city of Potsdam or the state in terms of content." Eureka sought legal advice from Gysi.⁹

Nehls was on trial at the district court in Berlin from August 2015, accused of misuse of titles and document forgery.¹⁰

In 2019 the municipality of Zossen denounced that Nehls along with 10 of his companies currently owes 3,2 Million Euros in tax debts in Zossen, a city offering the lowest corporate tax in Germany. This shortfall was caused by several companies in which Sanus AG and Sanus Bauträger GmbH & Co KG hold shares. These companies are registered in Zossen and have not paid any trade tax, are partly insolvent, the managing director has left the country or similar. The mayor Michaela Schreiber had initiated trade prohibition proceedings against Sanus AG due to unreliability.^{11 12}

Speculation

Nehls himself states that Sanus AG constructs housing projects for the rich.¹³ The project replacing Køpi Wagonplatz will be another example of gentrification gone wild. There is already a ruin next to Køpi as a neighbour on one side and on the other side of the street a block of offices that mostly appear empty.

Køpi however seriously doubts that the Wagonplatz would even be evicted with an immediate specific building purpose. Sanus AG not only buys land or property to build something on and later resell it. They also buy land and property to speculate with, as in the recent case of the Braunschweigerstraße 21 in Neukölln-Rixdorf for the building of luxury apartments.¹⁴

In 2017, the brownfield site at Branschweiger Strasse 21 was purchased by Myn 3. Vermögensverwaltung GmbH - led by Siegfried Nehls¹⁵ - for €9.1 million. The company was resold by Sanus to the company Cresco Real Estate via share deal in 2020, the sum mentioned was €27 million, according to the neighborhood initiative "DaWoEdekaMaWar". Sanus AG was thus able to make a profit of €18 million within three years from the vacancy of a wasteland.^{16 17} The share deal also made it possible to avoid the land transfer tax. After the first construction work has taken place and a small concrete slab has been poured, Sanus Ag is once again advertising Braunschweiger Str. 21 as a project developer.¹⁸

Since Nehls is already known for speculation and the building permit for the Køpi wagonplatz has been in place since 2015, we believe that the company has no intention to build anything on the wagonplatz after the eviction. The only reason they are acting now is because the building permit expires in

November 2021. Presumably, presumably, a mere concrete slab will also be poured on the wagonplatz to avoid losing the permit"

Lawyers

We have little faith in the outcome of the decision of the court because for us this justice system is not blind. Køpi does not have the same resources to confront this legal fight. The owner has financial and political connections that Køpi does not. His choice of lawyers is just one example of this.

On the one hand a team of lawyers, under the leadership of **Bertrand Malmendier**, specializing in advise to investors, companies and administrative bodies on projects and transactions in the real estate, construction and infrastructure sectors. A law firm specialized in representing companies that make a living out of speculation, pushing people out of their homes into misery. ¹⁹

Among the four lawyers of Malmendier Legal authorized by Startezia is listed **Christoph Brezinski**, with ties to the CDU. He is deputy parliamentary group chairman and the spokesperson for construction and urban development policy in the CDU fraction of Charlottenburg-Wilmersdorf ^{20 21}. This **overlap between professional and political roles**, and his connection with shady figures like Siefried Nehls raises questions.

We consider the political connections and influence of this lawyer extremely problematic, but even more so his repeated support of extreme right sympathies and Nazi symbolism. In 2008 he was banned from office for two years after a video came out in which he was filmed chanting nazi slogans and posing in front of a Hakenkreuz ²². He was readmitted in the party and returned to be a chairman in the Junge Union, the youth division of the CDU. In 2014 again he was involved in a scandal, posing with a placard to thank the senator Henkel for his violent eviction of refugees at Oranienplatz²³. The CDU distanced itself from the action, Brezinski said he would do it again. The fact that Nehls is hiring lawyers with extreme right background tells a lot about his political sympathies.

The examples above should be enough reason to focus on, investigate and prosecute the shady business dealings of Sanus AG and Siegfried Nehls. Instead the political and juridical system of Berlin choses to support him and focuses on a houseproject that existed for more than 30 years, that squatted a piece of land that was once from nobody and made it into a thriving symbol of Berlin that has ample support not only from the Berlin alternative community but a broad spectrum of Berlin society.

[1] <https://sanus-ag.de/>

[2] <https://www.northdata.de/Novum+K%C3%B6penicker+Stra%C3%9Fe+133+-+138+GmbH+%26+Co.+KG,+K%C3%B6ln/HRA+30159>

[3] <https://taz.de/Linkes-Zentrum-in-Berlin!/5640482/>

- [4] <https://www.manager-magazin.de/finanzen/immobilien/a-884329.html>
- [5] <https://m.tagesspiegel.de/berlin/eine-razzia-zur-freude-der-koepi-bewohner/965958.html>
- [6] <https://akh-h.de/news/metropolitan-estates-berlin-gmbh-co-kg-wo-ist-das-geld-der-anleger-hin/>
- [7] <https://akh-h.de/news/akh-h-fondsexpertise-zu-metropolitan-estates-berlin-gmbh-co-kg/>
- [8] <https://www.verbraucherschutz.tv/2018/12/14/probleme-beim-fonds-metropolitan-estates-berlin-moeglichkeiten-der-anleger>
- [9] <https://www.presseportal.de/pm/6329/3075202>
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- [18] <https://sanus-ag.de/projekte/braunschweiger-str-21/>
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