

Declaration concerning the German Corporate Governance Code

The Managing and Supervisory Boards of Fair Value REIT-AG issued the following declaration of conformity with the German Corporate Governance Code (Version dated June 14, 2007) within the meaning of Section 161 of the AktG:

Fair Value REIT-AG's Managing and Supervisory Boards welcome and support the German Corporate Governance Code and the objectives thus pursued. Fair Value REIT-AG follows the recommendations of the German Corporate Governance Code in the version dated June 14, 2007 and will continue to do so in future with the following exceptions:

- D&O insurance: The D&O insurance concluded for the Managing and Supervisory Boards does not include a deductible (Item 3.8).
- Total remuneration for the Managing Board members: The Managing Board's total remuneration comprises fixed and variable components, but does not include a component as a long-term incentive containing risk elements, in particular it does not include any stock options or comparable structures (Item 4.2.3).
- Age limit for members of the Managing and Supervisory Boards: There is no age limit for members of the Managing and Supervisory Boards (Items 5.1.2 and 5.4.1).
- Committees: In view of its small size the Supervisory Board has not formed any committees with sufficient expertise (Item 5.3.1) or an audit committee (Item 5.3.2).
- Supervisory Board remuneration: The remuneration for members of the Supervisory Board comprises a fixed component as well as a performance-related variable component, however it does not take membership of Supervisory Board committees into account. Fair Value REIT-AG discloses the Supervisory Board's entire remuneration in the notes to the consolidated financial statements (Item 5.4.7).

February 27, 2008