

99046044221000, 99046044221000

# Distribution of household items in case of separation Decision

Heruntergeladen am 05.07.2025

<https://fimportal.de/xzufi-services/370425435/L100001>

| Modul                     | Sachverhalt                                                                                                                                             |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Leistungsschlüssel        | 99046044221000, 99046044221000                                                                                                                          |
| Leistungsbezeichnung I    | Distribution of household items in case of separation Decision                                                                                          |
| Leistungsbezeichnung II   |                                                                                                                                                         |
| Typisierung               | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug                                                                                                  |
| Quellredaktion            | Hessen                                                                                                                                                  |
| Freigabestatus Katalog    | unbestimmter Freigabestatus                                                                                                                             |
| Freigabestatus Bibliothek | fachlich freigegeben (silber)                                                                                                                           |
| Begriffe im Kontext       |                                                                                                                                                         |
| Leistungstyp              | Leistungsobjekt mit Verrichtung                                                                                                                         |
| Leistungsgruppierung      | Gerichtliche Leistungen (046)                                                                                                                           |
| Verrichtungskennung       | Entscheidung (221)                                                                                                                                      |
| SDG-Informationsbereich   | Leben in einer binationalen Partnerschaft, auch einer gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, |

| Modul                         | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | Scheidung, Güterrecht, Rechte von Lebenspartnern)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Lagen Portalverbund           | Scheidung (1020400)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Einheitlicher Ansprechpartner | Nein                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Fachlich freigegeben am       | 22.06.2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Fachlich freigegeben durch    | Hessian Ministry of Justice                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Handlungsgrundlage            | <a href="https://www.gesetze-im-internet.de/bgb/_1361a.html">https://www.gesetze-im-internet.de/bgb/_1361a.html</a><br><a href="https://www.gesetze-im-internet.de/famfg/_111.html">https://www.gesetze-im-internet.de/famfg/_111.html</a><br><a href="https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002701160">https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002701160</a><br><a href="https://www.gesetze-im-internet.de/famfg/_269.html">https://www.gesetze-im-internet.de/famfg/_269.html</a><br><a href="https://www.gesetze-im-internet.de/famfg/_270.html">https://www.gesetze-im-internet.de/famfg/_270.html</a><br><a href="https://www.gesetze-im-internet.de/bgb/_1361a.html">https://www.gesetze-im-internet.de/bgb/_1361a.html</a><br><a href="https://www.gesetze-im-internet.de/famfg/_111.html">https://www.gesetze-im-internet.de/famfg/_111.html</a><br><a href="https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002701160">https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002701160</a><br><a href="https://www.gesetze-im-internet.de/famfg/_269.html">https://www.gesetze-im-internet.de/famfg/_269.html</a><br><a href="https://www.gesetze-im-internet.de/famfg/_270.html">https://www.gesetze-im-internet.de/famfg/_270.html</a> |
| Teaser                        | If you are married or in a registered partnership but live separately, you can request a distribution of household items for the period of separation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Volltext                      | If you cannot agree with your separated partner on the distribution of household items, you can assert a claim for distribution of household items in court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Erforderliche Unterlagen      | <ul style="list-style-type: none"> <li>• where applicable, proof of ownership of household items</li> <li>• If applicable, inventory list of household items with the respective ownership structure and, if applicable, the distribution idea in the event of a later divorce, countersigned by your marriage or partner</li> <li>• if applicable, evidence of the circumstances relevant to the assessment of equity, e.g. medical certificates</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Voraussetzungen               | <p>As a spouse or partner, you are entitled to the distribution of household items if</p> <ul style="list-style-type: none"> <li>• you cannot agree on the distribution of items,</li> <li>• you are a separated marriage or partner,</li> <li>• the matters in dispute are household items;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| Modul                        | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                              | <ul style="list-style-type: none"> <li>• the object belongs to you personally,</li> <li>• You do not have to leave the item to your partner for use, as he or she needs the item to run a separate household.</li> <li>• Items common to the partners shall be distributed between them in accordance with the principles of equity.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                            |
| Kosten                       | <ul style="list-style-type: none"> <li>• Legal expenses</li> <li>• if applicable, lawyer's fees</li> <li>• both depend on the value of the object</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Verfahrensablauf             | <p>An application for the distribution of household items in the event of separation must be submitted to the competent district court – family court – pursuant to §§ 201 et seq. FamFG.</p> <ul style="list-style-type: none"> <li>• In order to facilitate its decision pursuant to Paragraph 206(1) of the FamFG, the court may impose an obligation on each of the spouses to provide information.</li> <li>• The court should discuss the matter with the spouses in an appointment. It is intended to order the personal appearance of the spouses.</li> <li>• The court decides on the distribution of household items by order. It may fix an appropriate remuneration for the use of household items.</li> </ul> |
| Bearbeitungsdauer            | At least 3 months due to the given procedure, in more complex procedures possibly longer, depending on the individual case.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Frist                        | You must assert your claim in good time during your separation phase.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| weiterführende Informationen |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Hinweise                     | For information on separation, see<br><a href="https://www.bmfsfj.de/">https://www.bmfsfj.de/</a><br><a href="https://www.bmfsfj.de/">https://www.bmfsfj.de/</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Rechtsbehelf                 | <ul style="list-style-type: none"> <li>• Appeal according to §§ 58 ff. FamFG against the family court decision within one month</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Kurztext                     | <ul style="list-style-type: none"> <li>• Distribution of household items in case of separation</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| Modul             | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   | <p>Decision</p> <ul style="list-style-type: none"> <li>• can only be demanded in the period of separation until divorce (the final distribution for the period after the divorce is regulated in § 1568b BGB)</li> <li>• Eligibility requirements: lack of agreement on the distribution of items Separated spouses or partners Matters of dispute are household items the object belongs to the applicant personally the object does not have to be left to the partner for use</li> <li>• Jurisdiction: District Court – Family Court –</li> </ul> |
| Ansprechpunkt     | <p>Below you will find the local courts responsible for you with further contact options and service hours.</p> <p><a href="https://www.justizadressen.nrw.de/de/justiz/suche">https://www.justizadressen.nrw.de/de/justiz/suche</a></p> <p><a href="https://www.justizadressen.nrw.de/de/justiz/suche">https://www.justizadressen.nrw.de/de/justiz/suche</a></p>                                                                                                                                                                                    |
| Zuständige Stelle | <p>The family court will decide on the application at your local court with local jurisdiction. In Hesse, not all local courts have family courts (§ 5 of the Jurisdiction of Justice Ordinance). You can find the local court with local jurisdiction for you via the Federal and State Justice Portal.</p>                                                                                                                                                                                                                                         |
| Formulare         | <ul style="list-style-type: none"> <li>• Forms: none</li> <li>• Online procedure possible: no</li> <li>• Written form required: yes</li> <li>• Personal appearance required: yes</li> </ul>                                                                                                                                                                                                                                                                                                                                                          |
| Ursprungsportal   | <p>Distribution of household items in case of separation Decision, Verteilung der Haushaltsgegenstände bei Getrenntleben Entscheidung</p>                                                                                                                                                                                                                                                                                                                                                                                                            |