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Claiming the distribution of household items in the event of separation

Heruntergeladen am 21.06.2025

<https://fimportal.de/xzufi-services/393433466/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99046044221000, 99046044221000
Leistungsbezeichnung I	Claiming the distribution of household items in the event of separation
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
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

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	gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, Scheidung, Güterrecht, Rechte von Lebenspartnern)
Lagen Portalverbund	Scheidung (1020400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	02.10.2020
Fachlich freigegeben durch	Senator for Justice and Constitution of the Free Hanseatic City of Bremen
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1361a.html https://www.gesetze-im-internet.de/famfg/_111.html https://www.gesetze-im-internet.de/famfg/BJNR25870008BJNG002701160.html#BJNR258700008BJNG002701160 https://www.gesetze-im-internet.de/famfg/_269.html https://www.gesetze-im-internet.de/famfg/_270.html https://www.gesetze-im-internet.de/bgb/_1361a.html https://www.gesetze-im-internet.de/famfg/_111.html https://www.gesetze-im-internet.de/famfg/BJNR25870008BJNG002701160.html#BJNR258700008BJNG002701160 https://www.gesetze-im-internet.de/famfg/_269.html https://www.gesetze-im-internet.de/famfg/_270.html
Teaser	If you are married or in a registered civil partnership but living apart, you can ask for a distribution of household goods for the time you are living apart.
Volltext	If you are unable to reach an agreement with your separating partner about the distribution of household goods, you can take a claim for the distribution of household goods to court.
Erforderliche Unterlagen	• If applicable, evidence of ownership of the household effects. • Inventory list of household items, if applicable with the respective ownership relationships and, if applicable, the intended distribution in the event of a subsequent divorce, countersigned by your spouse or partner • If applicable, evidence of the circumstances relevant to the consideration of equity, e.g. medical certificates.
Voraussetzungen	As a spouse or civil partner, you are entitled to the

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	distribution of household effects if • you cannot agree on the distribution of the household effects, • you are separated spouses or partners, • the objects in dispute are household goods, • the property belongs to you personally, • you do not have to give the item to your partner to use because he or she needs the item to run a separate household. • Objects belonging jointly to the partners shall be distributed between them in accordance with the principles of equity
Kosten	• Court costs • If applicable, lawyer's fees • both depend on the value of the object
Verfahrensablauf	An application for the distribution of household effects in the event of separation must be submitted to the local court - family court - with jurisdiction under sections 201 et seq. of the Family Proceedings Act. • The court may impose an obligation to provide information on each of the spouses in order to facilitate its decision in accordance with section 206 I FamFG. • The court shall discuss the matter with the spouses at a hearing. It shall order the personal appearance of the spouses. • The court shall decide on the distribution of household goods by order. It may fix a reasonable remuneration for the use of the household effects.
Bearbeitungsdauer	At least 3 months due to the prescribed procedure, possibly longer in more complex procedures, depending on the individual case
Frist	You must make your claim in good time during your separation.
weiterführende Informationen	For information on separation, see https://www.bmfsfj.de/
Hinweise	

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Rechtsbehelf	
Kurztext	• Distribution of household effects in case of separation Decision • Can only be claimed during the period of separation until divorce (final distribution for the period after divorce is governed by § 1568b BGB). • Prerequisites for the claim: lack of agreement on the distribution of property spouses or partners living separately objects in dispute are household objects the object belongs to the applicant personally the object does not have to be given to the partner for use • competent: Local Court - Family Court -
Ansprechpunkt	Contact the family court.
Zuständige Stelle	
Formulare	None
Ursprungsportal	Verteilung der Haushaltsgegenstände bei einer Trennung geltend machen, Claiming the distribution of household items in the event of separation