

99046002000000

Waive inheritance

Heruntergeladen am 17.06.2025

<https://fimportal.de/xzufi-services/6000139/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99046002000000
Leistungsbezeichnung I	Waive inheritance
Leistungsbezeichnung II	Waive inheritance
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

Modul
Sachverhalt

Fachlich freigegeben durch

Handlungsgrundlage

• §§ 1942 bis 1966

Teaser

If you find out that you have been appointed heir or co-heir on the basis of intestate succession or a will, you must decide as soon as possible whether you want to be the final heir. If you do not wish to accept the inheritance, you must declare the rejection of the inheritance within the stipulated period of six weeks. The period begins at the time when you become aware of the accrual and the reason for the inheritance. After the deadline for rejection the inheritance has expired, the inheritance is deemed to have been accepted. Rejection may be considered, for example, if the obligations of the deceased, which must be assumed by the heir, are higher than the value of the inheritance (over-indebtedness of the estate).

Volltext

If you find out that you have been appointed heir or co-heir on the basis of intestate succession or a will, you must decide as soon as possible whether you want to be the final heir. If you do not wish to accept the inheritance, you must declare the rejection of the inheritance within the stipulated period of six weeks. The period begins at the time when you become aware of the accrual and the reason for the inheritance. After the deadline for rejection the inheritance has expired, the inheritance is deemed to have been accepted. Rejection may be considered, for example, if the obligations of the deceased, which must be assumed by the heir, are higher than the value of the inheritance (over-indebtedness of the estate). Since the rejection can only be contested later under limited conditions and results in the inheritance falling to the person who follows you in the order of succession, it is subject to strict formal requirements:

- You must either go in person to the district court and declare the rejection there for the record of the inheritance court or
- declare the rejection in writing, in publicly certified form, to the inheritance court. In this case, you must have the signature publicly certified by a notary beforehand.

Contact

Modul	Sachverhalt
	→
Erforderliche Unterlagen	If applicable a publicly certified declaration of rejection
Voraussetzungen	Only as an entitled heir or co-heir can you reject the inheritance.
Kosten	In the event of rejection before the inheritance court: <ul style="list-style-type: none"> • Costs of proceedings, depending on the value of the estate • as a rule EUR 30,00, especially if the estate is overindebted
Verfahrensablauf	<p>You must declare the rejection to the inheritance court..</p> <ul style="list-style-type: none"> • The declaration must be made either on the record of the inheritance court or in publicly certified form. A simple letter to the inheritance court is therefore not sufficient. • If you do not want to or cannot visit the court yourself, you must have your signature on the rejection certified by a notary public and ensure that the declaration is received by the inheritance court within the deadline. • Your rejection means that the inheritance is deemed not to have accrued to you. The inheritance then goes to the person who would have inherited if the person rejecting the inheritance had not been alive at the time of the inheritance. The court informs this heir of the rejection.
Bearbeitungsdauer	Depending on the individual case.
Frist	<p>Rejection deadline: • six weeks • if the testator last resided abroad or the heir resided abroad: six months</p> <p>The time limit begins at the time when you became aware of the accrual and the reason for appeal (legal succession or testamentary disposition) of the inheritance. If the heir is appointed by a testamentary disposition, however, the time limit does not begin before the inheritance court announces the disposition upon death (opening of the will). The six-month time limit applies if the deceased had his or her last residence only abroad or if you as heir are abroad when the time limit begins.</p>

Modul	Sachverhalt
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • If you have not rejected the inheritance in time, it is considered accepted. However, the acceptance may be contested under § 1956, 1957 paragraph 1 of the Civil Code (BGB). • If you have already rejected the inheritance, the rejection may be contested under section 1957, paragraph 1 of the Civil Code.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	