

99046037058000, 99046037058000

Arbitration office

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/199209415/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046037058000, 99046037058000
Leistungsbezeichnung I	Arbitration office
Leistungsbezeichnung II	
Typisierung	4 - Land: Regelung
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Durchführung (058)
SDG-Informationsbereich	
Lagen Portalverbund	Gerichtliche Entscheidungen (2140300), Außergerichtliche Verfahren und Streitschlichtung (1150100)
Einheitlicher Ansprechpartner	Nein

Modul
Sachverhalt

Fachlich freigegeben am

Fachlich freigegeben durch

Handlungsgrundlage

<https://www.landesrecht.rlp.de/jportal/portal/t/12kd/page/bsrlpprod.psml?doc.hl=1&doc.id=jlr-SchiedsAmtsORPrahen%3Ajuris-lr00&documentnumber=2&numberofresults=3&showdoccase=1&doc.part=X¶mfromHL=true>
https://www.landesrecht.rlp.de/jportal/portal/t/wrc/page/bsrlpprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=7&fromdoctodoc=yes&doc.id=jlr-SchlGRPrahen&doc.part=X&doc.price=0.0&doc.hl=1#focuspoint
https://www.gesetze-im-internet.de/bgb/_906.html
https://www.gesetze-im-internet.de/bgb/_910.html
https://www.gesetze-im-internet.de/bgb/_911.html
https://www.gesetze-im-internet.de/bgb/_923.html
<https://www.landesrecht.rlp.de/jportal/portal/t/12kd/page/bsrlpprod.psml?doc.hl=1&doc.id=jlr-SchiedsAmtsORPrahen%3Ajuris-lr00&documentnumber=2&numberofresults=3&showdoccase=1&doc.part=X¶mfromHL=true>
https://www.landesrecht.rlp.de/jportal/portal/t/wrc/page/bsrlpprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=7&fromdoctodoc=yes&doc.id=jlr-SchlGRPrahen&doc.part=X&doc.price=0.0&doc.hl=1#focuspoint
https://www.gesetze-im-internet.de/bgb/_906.html
https://www.gesetze-im-internet.de/bgb/_910.html
https://www.gesetze-im-internet.de/bgb/_911.html
https://www.gesetze-im-internet.de/bgb/_923.html

Teaser
Volltext

Especially in everyday disputes with neighbors or acquaintances, the atmosphere can quickly become so tense that the parties involved can no longer talk things out in peace. Relationships that have been good up to that point are too good to be jeopardized in a legal dispute because the hedge on the neighbouring property has grown too high, your car was damaged when you parked it or the tradesman next door did a

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poor job on the repair job. This is precisely where arbitrators can help to settle disputes and preserve neighborly, family and friendly relations.

Since 01.12.2008, the State Arbitration Act has stipulated that an attempt at conciliation must be made before an arbitrator or other conciliation body before legal proceedings are initiated for certain disputes involving neighbors and defamation.

The attempt at conciliation is also a prerequisite for bringing a private action.

Although criminal prosecution is the responsibility of the state, some offenses must be referred to an arbitrator before you can go to court, namely the so-called private prosecution offenses

- trespassing,
- insult,
- violation of the secrecy of correspondence,
- assault and battery,
- threats,
- damage to property or
- committing the aforementioned offenses while intoxicated.

If such criminal offenses are considered, the public prosecutor's office will only bring charges if it believes there is a public interest in prosecution. If it does not see such a public interest, you will be referred to private prosecution. This means that if you want the perpetrator to be punished, you must file a complaint with the criminal court yourself.

However, you can only file such a private action if you have previously tried to reconcile with the other parties involved out of court.

Erforderliche Unterlagen

Voraussetzungen

In the event of disputes about claims due to

- effects such as the effects of gases, vapors, odors, smoke, soot, heat, noise, vibrations from another

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property), unless the effects are from a commercial operation,

- overgrowth,
- encroachment,
- a boundary tree,
- the neighboring rights regulated in the State Neighboring Rights Act (e.g. erection of a neighboring or boundary wall, attachment of chimneys, ventilation shafts or antenna systems), provided that these are not impacts from a commercial operation and
- for violations of personal honor that were not committed in the press or on the radio,

an attempt at conciliation is only dispensable if not all parties have their place of residence, registered office or a branch in Rhineland-Palatinate in the same or neighboring regional court districts when the conciliation proceedings are initiated.

In principle, however, an attempt at conciliation before an arbitrator is reasonable and possible in all civil disputes. The arbitrator may or should only not become involved if the dispute is not a property dispute (e.g. divorce, paternity disputes, custody and contact disputes), if the amount involved in a property dispute is more than 5,000 euros or in cases that are particularly difficult in fact or in law (e.g. disputes about statutory maintenance obligations).

Arbitration proceedings are excluded, for example, in the following cases

- Divorces,
- Paternity disputes,
- contact and custody disputes,
- from a value in dispute of 5,000 euros.

Kosten

The costs of the proceedings are not high: the fee for a conciliation hearing is 10 euros and doubles if a settlement is reached. In special circumstances, the fee can be increased to up to 40 euros.

In special cases, the arbitrator can also reduce the fees or waive the charging of costs.

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Expenses, e.g. the arbitrator's postage costs, may also be incurred.

In principle, the party who initiated the arbitrator's work, i.e. who requested the arbitration proceedings, must bear the costs. If the parties reach a settlement, they will usually also reach an agreement regarding the costs of the arbitration proceedings.

Verfahrensablauf

The proceedings are initiated by an application, which should contain the names, occupation, marital status, date of birth and address of both parties as well as a brief description of the dispute. You can send the signed application to the arbitrator in writing or make an oral statement to the arbitrator "for the record".

The arbitrator will then set a date to which the parties to the dispute will be summoned. Before the appointment, you should consider what is important to you and whether and to what extent you are willing to compromise, taking into account the situation of the other party.

At the hearing, both parties have the time and opportunity to present their views in peace and - unlike in court proceedings - without publicity.

The arbitrator will try to reduce existing tensions and bring about an agreement. If this is successful, the settlement reached will be recorded in minutes, which must be signed by the arbitrator and the parties. If necessary, such a settlement can also be enforced.

If an agreement cannot be reached or if the other party to the dispute does not appear at the hearing, you still have the option of appealing to the court.

Bearbeitungsdauer

The duration of the expiation attempt depends on the specifics of the individual case.

Frist

No special deadlines need to be observed with regard to the arbitration proceedings.

weiterführende Informationen

Modul	Sachverhalt
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	<p>The arbitrator of the district in which the defendant lives is responsible. There is an arbitrator in every association municipality, every independent municipality, every district town and every independent town.</p> <p>If you do not live in the same district, the court responsible for the private lawsuit may allow you to refrain from conducting an attempt at conciliation. The court may also allow a person representing you to attend if you cannot reasonably be expected to make the journey.</p> <p>Information on addresses and consultation hours can also be obtained from the municipal administrations, the local courts or the police stations. It may be advisable to consult a lawyer on legal issues</p>
Zuständige Stelle	
Formulare	Special forms are not required.
Ursprungsportal	Schiedsamt, Arbitration office