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Assertion of a claim for the distribution of household items in the case of separated partners

Heruntergeladen am 10.07.2025

<https://fimportal.de/xzufi-services/233367145/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046044221000
Leistungsbezeichnung I	Assertion of a claim for the distribution of household items in the case of separated partners
Leistungsbezeichnung II	Assertion of a claim for the distribution of household items in the case of separated partners
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Entscheidung (221)

Modul	Sachverhalt
SDG-Informationsbereich	Leben in einer binationalen Partnerschaft, auch einer 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/BJNR25870008.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/BJNR25870008.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 live separately, you can request a distribution of household items for the period of separation.
Volltext	If you are unable to reach an agreement with your partner who is separated about the distribution of household items, you can assert a claim for the distribution of household items in court.
Erforderliche Unterlagen	• Proof of ownership of the household items, if applicable • Inventory list of household items, if applicable with the respective ownership structure and, if applicable, the intended distribution in the event of a later divorce, countersigned by your spouse or partner • If applicable, evidence of the circumstances relevant to the consideration of fairness, e.g. medical certificates

Modul	Sachverhalt
Voraussetzungen	As a spouse or partner, you are entitled to the distribution of household items if • you cannot agree on the distribution of the items, • you are separated spouses or partners, • the items in dispute are household items, • the item belongs to you personally, • you do not have to let your partner use the item because he or she needs it to run a separate household. • Items belonging jointly to the partners are distributed between them in accordance with the principles of equity
Kosten	• court costs • lawyer's fees, if applicable • both depend on the value of the matter in dispute
Verfahrensablauf	An application for the distribution of household items in the event of separation must be submitted to the competent local court - family court - in accordance with §§ 201 f. FamFG. • To facilitate its decision, the court can impose a duty to provide information on each of the spouses in accordance with § 206 I FamFG. • The court should discuss the matter with the spouses at a hearing. It should order the spouses to appear in person. • The court shall decide on the distribution of the household effects by order. It may set a reasonable fee 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 assert your claim in good time during your separation phase.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	

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Kurztext	• Distribution of household items in the event of separation Decision • can only be requested during the period of separation until the divorce (the final distribution for the period after the divorce is regulated in § 1568b BGB) • Prerequisites for the claim: Lack of agreement on the distribution of the property Spouses or partners living separately The items in dispute are household items the item belongs to the applicant personally the item does not have to be given to the partner for use • competent court: Local Court - Family Court -
Ansprechpunkt	
Zuständige Stelle	
Formulare	None
Ursprungsportal	Geltendmachung eines Anspruchs auf Verteilung der Haushaltsgegenstände bei getrenntlebenden Partnern, Assertion of a claim for the distribution of household items in the case of separated partners