

99046010001003, 99046010001003

Sole certificate of inheritance is issued by issue a limited certificate of inheritance

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/237896014/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046010001003, 99046010001003
Leistungsbezeichnung I	Sole certificate of inheritance is issued by issue a limited certificate of inheritance
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erbansprüche und -pflichten in einem anderen

Modul	Sachverhalt
	Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Erbschaft, Nachlass und Testament (1190200), Urkunden und Bescheinigungen (1070200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	24.06.2021
Fachlich freigegeben durch	Lower Saxony Ministry of Justice
Handlungsgrundlage	https://www.gesetze-im-internet.de/famfg/__352b.html https://www.gesetze-im-internet.de/bgb/__2100.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 https://www.gesetze-im-internet.de/famfg/__352b.html https://www.gesetze-im-internet.de/bgb/__2100.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377
Teaser	<p>If you have decided to accept your inheritance, you will in many cases need proof of your right of inheritance. If you are the sole heir, this will be stated in a certificate of inheritance. The certificate of inheritance may be restricted if parts of the estate are located abroad.</p>
Volltext	<p>A sole heir attests to the right of inheritance of a single person who has been appointed by the testator in his will as the sole or universal heir or who, within the framework of the legal succession, takes over the legal succession after the testator as the sole heir.</p> <p>A certificate of inheritance (herein referred to as a limited certificate of inheritance) limited to the assets of the testator (estate) located in Germany can be issued by the probate court on application if the estate also includes objects that are located abroad (§ 352c FamFG). A limited certificate of inheritance should be applied for if this speeds up the procedure for issuing the certificate of inheritance (e.B. because no foreign inheritance law has to be determined), or because the certificate of inheritance is not needed abroad and costs can be saved by the restriction.</p> <p>https://www.gesetze-im-internet.de/famfg/__352c.html</p>

Modul	Sachverhalt
	https://www.gesetze-im-internet.de/famfg/_352c.html
Erforderliche Unterlagen	<ul style="list-style-type: none"> • your identity card or passport, • the death certificate of the deceased person (testator), • the family record book for the documentation of kinship, • information on whether there is a process for your inheritance law, • the names and addresses of the co-heirs, • Proof of the reason why certain persons who would actually inherit are no longer heirs, for example their death certificates, waivers of inheritance or declarations of renunciation of inheritance, • if applicable, wills or contracts of inheritance, • the matrimonial property regime (in the case of spouses) or the property regime (in the case of registered civil partnerships), • Proof that objects of the estate are located abroad.
Voraussetzungen	There is an heir status and objects of the estate are located both in Germany and abroad.
Kosten	<ul style="list-style-type: none"> • The fees for a certificate of inheritance are regulated in the Court and Notary Costs Act (GNotKG) and are based on the value of the estate after deduction of the debts. • In addition to the fee for issuing a certificate of inheritance, there may be costs for affidavits and notary fees – plus the statutory value added tax.
Verfahrensablauf	After you have applied for the certificate of inheritance, the district court checks the eligibility and issues the certificate of inheritance.
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance.
Frist	none
weiterführende Informationen	https://www.bmjbv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33 https://www.bmjbv.de/DE/Themen/FamilieUndPartnerschaft/Erbrecht/Erbrecht_node.html
Hinweise	

Modul

Sachverhalt

Rechtsbehelf

****Complaint****

Insofar as conflicting interests exist in the inheritance certificate proceedings before the probate court, the probate court may not issue the certificate of inheritance immediately. The district court issues an order in which it states that it considers the facts necessary to substantiate the application for a certificate of inheritance to be established.

In accordance with §§ 58, 63 FamFG, the parties then have the opportunity to appeal against this decision within a period of one month.

The certificate of inheritance is only issued if, after the expiry of the period of one month, no one has lodged an appeal against the decision of the probate court and the decision has thus become final.

In addition, according to § 59 FamFG, the person who could not convince the probate court with his arguments in the inheritance certificate proceedings and is thus impaired in his rights can lodge an appeal.

****Appeal****

By applying for the certificate of inheritance, the inheritance is automatically deemed to have been accepted – an inheritance strike is then no longer possible.

Heirs can then only avert the inheritance by contesting the certificate of inheritance. For this, however, a reason for contestation must be proven. In principle, only the person who would benefit from a challenge may contest a certificate of inheritance. It is recommended to seek legal advice from a lawyer.

Sole inheritance certificates: These can only be challenged by sole heirs.

Partial certificates and joint certificates of inheritance: Every heir within the community of heirs is entitled to contest.

Modul	Sachverhalt
	https://www.gesetze-im-internet.de/famfg/_58.html https://www.gesetze-im-internet.de/famfg/_59.html https://www.gesetze-im-internet.de/famfg/_63.html https://www.gesetze-im-internet.de/famfg/_58.html https://www.gesetze-im-internet.de/famfg/_59.html https://www.gesetze-im-internet.de/famfg/_63.html
Kurztext	<ul style="list-style-type: none"> • A sole be-inherited can apply to the probate court for a sole certificate <ul style="list-style-type: none"> • A certificate of inheritance is an official certificate issued by the probate court that provides information about the right of inheritance of a particular person • Parts of the estate are located abroad
Ansprechpunkt	
Zuständige Stelle	
Formulare	Forms are not required.
Ursprungsportal	Alleinerbschein erteilen eines gegenständlich beschränkten Erbscheins, Sole certificate of inheritance is issued by issue a limited certificate of inheritance