

99046010001001, 99046010001001

# Applying for a certificate of sole inheritance due to statutory succession

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/430828831/L100040>

| Modul                     | Sachverhalt                                                                |
|---------------------------|----------------------------------------------------------------------------|
| Leistungsschlüssel        | 99046010001001, 99046010001001                                             |
| Leistungsbezeichnung I    | Applying for a certificate of sole inheritance due to statutory succession |
| Leistungsbezeichnung II   | Applying for a certificate of sole inheritance due to statutory succession |
| Typisierung               | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug                     |
| Quellredaktion            | Niedersachsen                                                              |
| Freigabestatus Katalog    | unbestimmter Freigabestatus                                                |
| Freigabestatus Bibliothek | fachlich freigegeben (gold)                                                |
| Begriffe im Kontext       |                                                                            |
| Leistungstyp              | Leistungsobjekt mit Verrichtung                                            |
| Leistungsgruppierung      | Gerichtliche Leistungen (046)                                              |
| Verrichtungskennung       | Erteilung (001)                                                            |

| Modul                         | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| SDG-Informationsbereich       | Erbansprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Lagen Portalverbund           | Urkunden und Bescheinigungen (1070200), Erbschaft, Nachlass und Testament (1190200)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Einheitlicher Ansprechpartner | Nein                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Fachlich freigegeben am       | 15.11.2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Fachlich freigegeben durch    | Federal Ministry of Justice and Consumer Protection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Handlungsgrundlage            | <a href="https://www.gesetze-im-internet.de/bgb/_2353.html">https://www.gesetze-im-internet.de/bgb/_2353.html</a><br><a href="https://www.gesetze-im-internet.de/famfg/_352.html">https://www.gesetze-im-internet.de/famfg/_352.html</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Teaser                        | If you are the sole heir according to statutory succession, you can apply to the probate court for a sole heir certificate to prove your status as an heir.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Volltext                      | <p>If the deceased person has not left a will or concluded an inheritance contract, statutory succession applies. In many cases, you will need proof of your right to inherit.</p> <p>The sole heir certificate proves that you are the sole legal successor to the deceased. For example, it gives you access to a bank account of the deceased person or you can apply for entries in the land register.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Erforderliche Unterlagen      | <ul style="list-style-type: none"> <li>• Identity card or passport</li> <li>• Death certificate of the deceased</li> <li>• Documents documenting the status as legal heir, for example               <ul style="list-style-type: none"> <li>• Family register</li> <li>• birth certificate</li> <li>• Marriage certificate</li> </ul> </li> <li>• Information on whether there is a lawsuit regarding your inheritance rights               <ul style="list-style-type: none"> <li>• Proof of why certain persons who would actually be (co-)heirs are not heirs, for example:                   <ul style="list-style-type: none"> <li>• Death certificates</li> <li>• Declarations of inheritance</li> <li>• Declarations of renunciation of inheritance</li> </ul> </li> <li>• if applicable, wills or inheritance contracts or at least details thereof, for example in the case of special</li> </ul> </li> </ul> |

| Modul             | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                   | <p>official custody</p> <ul style="list-style-type: none"> <li>• for married couples: Proof of the matrimonial property regime</li> <li>• for registered civil partnerships: Proof of property status</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Voraussetzungen   | You can only apply for a sole heir certificate if you are the sole heir.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Kosten            | <ul style="list-style-type: none"> <li>• The amount of the fees depends on the value of the estate after deduction of the deceased's debts.</li> <li>• The issuing of a sole certificate of inheritance by the probate court costs, for example               <ul style="list-style-type: none"> <li>• for an estate value of EUR 30,000 EUR 125.00,</li> <li>• EUR 273.00 for an estate value of EUR 100,000 and</li> <li>• EUR 935.00 for an estate value of EUR 500,000.</li> </ul> </li> <li>• In addition, you must pay fees of the same amount for the notarization of an affidavit at the probate court or with a notary. You may also have to pay writing expenses and VAT.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Verfahrensablauf  | <p>You must apply for a certificate of sole inheritance at the competent probate court (local court):</p> <ul style="list-style-type: none"> <li>• Submit an informal application there for a certificate of sole inheritance and attach all the necessary documents.</li> <li>• Alternatively, you can submit the application via an authorized person, such as a notary or lawyer, or you can make a statement for the record at court.</li> <li>• Make an affidavit in person before the local court or before a notary. In doing so, you confirm that you are not aware of anything that contradicts the accuracy of the information you have provided in the application for a certificate of inheritance.               <ul style="list-style-type: none"> <li>• This is not necessary if the local court waives this requirement.</li> <li>• If a notary notarizes the declaration in lieu of an oath, this person can also notarize the application for a certificate of inheritance.</li> </ul> </li> <li>• The local court will check your entitlement and issue the certificate of inheritance.</li> </ul> |
| Bearbeitungsdauer |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Frist             | You do not have to meet any deadlines.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| Modul                        | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| weiterführende Informationen | <a href="https://www.bmjv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&amp;v=33">https://www.bmjv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&amp;v=33</a><br><a href="https://www.bmjv.de/DE/Themen/FamilieUndPartnerschaft/Erbrecht/Erbrecht_node.html">https://www.bmjv.de/DE/Themen/FamilieUndPartnerschaft/Erbrecht/Erbrecht_node.html</a><br><a href="https://www.bmjv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&amp;v=33">https://www.bmjv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&amp;v=33</a><br><a href="https://www.bmjv.de/DE/Themen/FamilieUndPartnerschaft/Erbrecht/Erbrecht_node.html">https://www.bmjv.de/DE/Themen/FamilieUndPartnerschaft/Erbrecht/Erbrecht_node.html</a> |
| Hinweise                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Rechtsbehelf                 | <ul style="list-style-type: none"> <li>• Appeal</li> <li>• Application for revocation of the certificate of inheritance</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Kurztext                     | <ul style="list-style-type: none"> <li>• Granting a certificate of sole inheritance</li> <li>• A sole heir can apply to the probate court for a certificate of inheritance</li> <li>• a certificate of inheritance is an official certificate issued by the probate court that provides information about the inheritance rights of a specific person</li> <li>• if there is no will or contract of inheritance, the certificate of inheritance is issued according to statutory succession</li> <li>• responsible: Probate court (local court) at the last place of residence of the deceased person</li> </ul>                                                                                                                                                                                                     |
| Ansprechpunkt                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Zuständige Stelle            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Formulare                    | Forms:<br>Online procedure possible:<br>Written form required: no<br>Personal appearance required: <ul style="list-style-type: none"> <li>• for application: no</li> <li>• for declaration in lieu of an oath: yes</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Ursprungsportal              | Alleinerbschein aufgrund gesetzlicher Erbfolge beantragen, Applying for a certificate of sole inheritance due to statutory succession                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |