

99101014080000

Heruntergeladen am 26.05.2025

<https://fimportal.de/xzufi-services/89171/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99101014080000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Social assistance; application for the assumption of funeral costs
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	22.01.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Familie, Arbeit und Soziales (Bavarian Bavarian State Ministry for Family, Labour and Social Affairs)
Handlungsgrundlage	http://bundesrecht.juris.de/sgb_12/_74.html http://bundesrecht.juris.de/sgb_12/_74.html
Teaser	The necessary costs of a funeral will be covered by the Social Welfare Office on application if the person obliged to do so cannot reasonably be expected to bear the costs.
Volltext	<p>In Germany, burial is compulsory.</p> <p>As a relative or next of kin of the deceased person, you must take care of the funeral in accordance with the statutory order and bear the costs incurred. You can claim the costs incurred from the heirs or other parties liable to pay if you do not belong to this group of people.</p> <p>The social welfare office will cover the necessary costs of a funeral if you, as a person with a legal obligation, cannot reasonably be expected to bear the costs, in particular due to your financial circumstances (income and assets). In any case, the heirs must be expected to use the estate to cover the funeral costs.</p> <p>The necessary costs for a dignified, simple funeral in accordance with local conditions, including all fees, will be covered. However, only those costs that are directly related to the funeral (including the initial grave preparation) or are inseparably linked to the funeral itself are to be covered. These include in particular the costs for</p> <ul style="list-style-type: none"> • the post-mortem examination • the transportation of the body • a coffin of the simplest equipment with pillow and blanket set • the dressing and coffining of the body • the burial costs of the municipality (This also includes the grave fees for a simple row grave. This

Modul

Sachverhalt

also applies if the deceased is buried in an existing family grave and this results in higher subsequent costs); mortuary fees

- simple flower arrangements or coffin bouquet
- the first laying out of the grave and initial planting
- a simple grave cross or a simple gravestone (if expressly prescribed by the cemetery statutes)

Cremation is also possible instead of burial, in which case the following costs will also be covered to a reasonable extent:

- Costs for transportation of the body to the crematorium
- Costs of cremation
- Urn
- Grave fees for a simple urn grave

The special features of burials of other faiths will be respected. The costs for special religious features will be covered at an appropriate level.

It is not possible to cover the costs of services that go beyond this and must be rejected by the social welfare office. In this case, the costs must be borne by the person concerned. Among other things, the costs for

- an obituary, acknowledgements
- the funeral reception
- Funeral home services, if these can be reasonably expected of the obligated person
- death pictures
- ongoing grave maintenance
- mourning clothes

Repatriation costs can be covered if the particular circumstances of the individual case justify this; this does not apply to repatriation abroad.

Modul

Sachverhalt

Responsible social welfare office

If the deceased person was a recipient of social welfare benefits, the social welfare office that paid social welfare benefits to the deceased person during his or her lifetime is responsible.

In all other cases, the social welfare office in whose area the place of death is located is responsible (this also applies if the deceased is receiving unemployment benefit II).

Erforderliche Unterlagen

- The required documents can be found in the respective application form. As a rule, the following documents/details are required:
 - Evidence/information on the deceased person:
 - Death certificate
 - Details/documents of life/heir's insurance policy
 - List of the estate with proof of assets
 - if available: Will or contract of inheritance
 - List of possible heirs and family members of the deceased person (e.g. spouse; registered partner; children; parents, grandchildren, grandparents).
 - Evidence of the person making the application:
 - If available: Certificate of inheritance or proof of probate
 - Copies of the type and amount of income for the last three months
 - Proof of financial circumstances
 - Evidence of monthly charges
 - Rental agreement and last rent increase declaration from the landlord or landlady (current rent amount)
 - if you are submitting the application after the funeral: Original invoice from the funeral home

Voraussetzungen

- You are obliged to pay the funeral costs.
You are legally obliged:
 - Contractually obligated parties, e.g. from a retirement portion or from a notarized contract
 - heirs
 - Fathers of illegitimate children in the event of the mother's death as a result of pregnancy or childbirth,

Modul

Sachverhalt

also for the costs of burying the stillborn child or a miscarriage

- spouses, parents and children of the deceased who are obliged to pay maintenance
- persons with a public-law funeral obligation who have fulfilled a public-law funeral obligation in accordance with the Funeral Act. In appropriate order: spouses, children / adopted children, parents / adoptive parents, grandparents, grandchildren, siblings, nephews / nieces, 1st degree in-laws
- The deceased person has not left a sufficient estate.
- They cannot cover the costs of the funeral from their own resources.
- The costs are reasonable under social welfare law.
- You are actually liable for the costs as a result of a contract for work concluded with the funeral director or a notice of payment issued by the competent regulatory authority.

Kosten

Verfahrensablauf

You must apply in writing to the responsible social welfare provider for the funeral costs to be covered. You will usually receive a corresponding application form from them.

If the competent authority approves your application, payment will be made either to you or, with your express consent, directly to the funeral home.

Bearbeitungsdauer

Frist

You can submit the application before or after the funeral. If possible, discuss the assumption of costs with the responsible authority beforehand, as only the necessary costs can be assumed, as mentioned above.

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

Ansprechpunkt

Modul	Sachverhalt
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal