

99046010001002

Sole Certificate of Inheritance

Disposition mortis causa

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/S1000020010000012517/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99046010001002
Leistungsbezeichnung I	Sole Certificate of Inheritance Disposition mortis causa
Leistungsbezeichnung II	Apply for a sole inheritance certificate based on a will or contract of inheritance
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div >apply="" >estate<="" >identify="" >inherit="" >single="" >sole="" >universal="" <div="" a="" alone<="" certificate="" certificate<="" certificate<="" div="" div>,="" for="" heir<="" heritage<="" inheritance="" inheritance<="" lang="en-x-mtfrom-de" of="" proprietorship<="" sole="" successor<=""> </div>

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	granting disposition upon death</div>, <div lang="en-x-mtfrom-de">Certificate of inheritance based on a will</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	25.09.2023
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • [§§ 2353 to 2370 German Civil Code (BGB)](https://www.gesetze-im-internet.de/bgb/__2353.html) • [Sections 352 to 352 e of the Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG)](https://www.gesetze-im-internet.de/famfg/__352.html) • [Fee table: Court and Notary Fees Act (GNotKG) Annex 2 (to Section 34 Paragraph 3)](https://www.gesetze-im-internet.de/gnotkg/anlage_2.html)
Teaser	If you are the sole heir, you often need a certificate of inheritance as proof of your inheritance rights. If you are the sole heir according to a will or contract of inheritance, you can apply for a sole inheritance certificate.
Volltext	<p>The probate court will issue you the sole inheritance certificate. It certifies that you are the only person who is the heir, meaning that you alone are the legal successor to the testator. This is the case if the deceased person named you as sole or universal heir in the will or inheritance contract.</p> <p>For example, the inheritance certificate gives you access to the deceased person's bank accounts or you</p>

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can request entries in the land register.

As a rule, a certificate of inheritance is not necessary for a clear will recorded before a notary.

Erforderliche Unterlagen

- Official photo identification, for example ID card or passport
- Death certificate of the deceased person, i.e. the testator
- Information about whether there is a process regarding your inheritance law
- Proof why certain people who would actually be (co-)heirs are not heirs, for example:
 - Death certificates
 - Declarations of renunciation of inheritance
 - Inheritance waivers
- Wills or inheritance contracts or at least the information about them, for example in the case of special official custody
- For married couples: if necessary, proof of the property regime
- For registered civil partnerships: if necessary, proof of assets

Voraussetzungen

You can only apply for a certificate of inheritance if you are the sole heir.

Kosten

- The amount of the fees depends on the value of the estate after deducting the debts of the testator.
 - For example, the issuing of a certificate of sole heir by the probate court costs
 - for an estate value of EUR 30,000 EUR 125.00,
 - for an estate value of EUR 100,000 EUR 273.00 and
 - for an estate value of EUR 500,000 EUR 935.00.
 - In addition, you must pay fees of the same amount for the notarization of an affidavit at the probate court or at a notary. In addition, there may be clerical expenses and sales tax.
- Applicants residing abroad are required to pay an advance on costs.

Verfahrensablauf

You apply for a certificate of sole heir at the responsible probate court (usually the court in whose district the deceased last lived):

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- Apply there for a certificate of sole inheritance.
- Please use the form provided.
- Attach all required documents to your letter.
- Alternatively, you can submit the application through an authorized person, such as a notary or a lawyer, or have it recorded in court.
- Make a declaration in person before the district court or before a notary public, confirming that you are not aware of anything that would contradict the accuracy of the information you have provided in the application for a certificate of inheritance.
 - This is not necessary if the district court waives it.
 - If a notary certifies the declaration under oath, this person can at the same time certify the application for a certificate of inheritance.
 - The local court checks your eligibility and issues the certificate of inheritance.

Bearbeitungsdauer

Depends on the respective district court.

Frist

No

**weiterführende
Informationen**

<https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg>
<https://justiz.hamburg.de/gerichte-segmente/>
<https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-39942>
<https://justiz.hamburg.de/amtsgerecht/1287500/nachlassgericht.html>
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<https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/services/nachlasstermine-573466>
<https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/services/nachlasstermine-573466>
<https://justiz.hamburg.de/resource/blob/637464/b2fc49b461e8f1cc988c45390f5aa2ae/erbscheinsantrag-data.pdf>

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	https://justiz.hamburg.de/resource/blob/573470/acb60160ebe644fcd39ff3b01bf74aea/erbscheinsantrag-data.pdf
Hinweise	<p>**Please note:</p> <p>The probate court does not provide legal advice. Please contact the persons authorized to provide legal advice. These are lawyers or notaries.</p> <p>The [Public Legal Advice Service (ÖRA)](https://www.hamburg.de/oera/) offers low-cost legal advice for people with low incomes.**</p>
Rechtsbehelf	<p>**Complaint**</p> <p>If there are conflicting interests in the inheritance certificate procedure before the probate court, the probate court may not issue the certificate of inheritance immediately. The district court issues a decision in which it states that it considers the facts necessary to justify the application for a certificate of inheritance to have been established. According to Sections 58 and 63 FamFG, those involved then have the opportunity to lodge a so-called appeal against this decision within a period of one month. The certificate of inheritance will only be issued if no one has lodged a complaint against the probate court's decision after the one-month period has expired and the decision has therefore become legally binding. In addition, according to Section 59 FamFG, the person who was unable to convince the probate court with their arguments in the inheritance certificate procedure and whose rights are thereby impaired can file a complaint.</p> <p>**challenge**</p> <p>By applying for the certificate of inheritance, the inheritance is automatically deemed to have been accepted - it is then no longer possible to renounce the inheritance.</p> <p>Heirs can then only avert the inheritance by contesting the acceptance of the inheritance. However, a reason must be proven that justifies the challenge (for example certain errors).</p>

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	<p>It is recommended that you seek legal advice from a lawyer. The district court is not allowed to provide legal advice.</p> <p>**Application for confiscation of the certificate of inheritance**</p>
Kurztext	<ul style="list-style-type: none"> • Apply for a sole inheritance certificate based on a will or inheritance contract <ul style="list-style-type: none"> • Single inheritance certificate granting disposition upon death • A sole heir can apply to the probate court for a sole inheritance certificate. • A certificate of inheritance is an official certificate issued by the probate court that provides information about the inheritance rights of a specific person. • Based on a will or inheritance contract, someone can be designated as the sole heir.
Ansprechpunkt	<p>If you want to find out exactly who is responsible for your request, please follow the link to [Authority finder Hamburg](https://www.hamburg.de/service/info/hasi/12517)</p>
Zuständige Stelle	Hamburg District Court
Formulare	
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)