

99046010001003

# Sole certificate of inheritance

## Granting of a limited certificate of inheritance

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/S1000020010000012518/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99046010001003
Leistungsbezeichnung I	Sole certificate of inheritance Granting of a limited certificate of inheritance
Leistungsbezeichnung II	Apply for a limited sole inheritance certificate
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 lang="en-x-mtfrom-de">Certificates of inheritance, local courts</div> , <div lang="en-x-mtfrom-de">sole heir</div> , <div lang="en-x-mtfrom-de">sole certificate</div> , <div lang="en-x-mtfrom-de">apply for a certificate of sole proprietorship</div> , <div lang="en-x-mtfrom-de">apply for a certificate of inheritance</div> , <div lang="en-x-mtfrom-de">universal heritage</div> , <div> </div>

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	<code>lang="en-x-mtfrom-de"&gt;inherit alone&lt;/div&gt;, &lt;div lang="en-x-mtfrom-de"&gt;Estate abroad&lt;/div&gt;, &lt;div lang="en-x-mtfrom-de"&gt;Estate partly abroad&lt;/div&gt;, &lt;div lang="en-x-mtfrom-de"&gt;Inheritance abroad&lt;/div&gt;, &lt;div lang="en-x-mtfrom-de"&gt;Inheritance partly abroad&lt;/div&gt;</code>
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"> <li>• [§§ 2353 to 2370 German Civil Code (BGB)](<a href="https://www.gesetze-im-internet.de/bgb/_2353.html">https://www.gesetze-im-internet.de/bgb/_2353.html</a>)</li> <li>• [§ 352 c Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG)](<a href="https://www.gesetze-im-internet.de/famfg/_352c.html">https://www.gesetze-im-internet.de/famfg/_352c.html</a>)</li> <li>• [Fee table: Court and Notary Fees Act (GNotKG) Annex 2 (to Section 34 Paragraph 3)](<a href="https://www.gesetze-im-internet.de/gnotkg/anlage_2.html">https://www.gesetze-im-internet.de/gnotkg/anlage_2.html</a>)</li> </ul>
Teaser	If you are the sole heir, you often need a certificate of inheritance as proof of your inheritance rights. You can have this limited to the estate in Germany if the estate objects are located both in Germany and abroad.
Volltext	A sole inheritance certificate shows that you alone are the legal successor to the testator. This is the case if you are the sole heir due to legal succession or the deceased person designated you as the sole or universal heir in the will or on the basis of an inheritance contract.

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You can apply for a limited certificate of inheritance at the probate court. If parts of the estate (inherited assets) are located abroad, this certificate of inheritance is limited to the estate located in Germany.

A restricted certificate of inheritance should be applied for if this will speed up the process of issuing the certificate of inheritance (for example because no foreign inheritance law needs to be determined), or because the certificate of inheritance is not needed abroad and the restriction can save costs.

## Erforderliche Unterlagen

To prove your status as an heir in the case of legal succession (i.e. if there is no will or inheritance contract), you must submit various documents. This involves documenting all events in your family that are relevant to inheritance law and that relate to the testator. These can include marriage, divorce, births of children, deaths, renunciations of inheritance and the like. If you are not sure which documents you must submit, you can ask the responsible probate court.

Required documents may be:

- Your official photo ID (identity card or passport)
- Death certificate of the testator, i.e. the deceased person
- If applicable, documents to document the status as legal heir, for example:
  - Family register
  - Marriage certificates of the deceased
  - Birth certificates of the testator's children and grandchildren
  - Adoption documents
  - Divorce decrees with legal force
- Evidence why certain persons who would actually be (co-)heirs are not heirs, for example:
  - Death certificates of children and grandchildren or the spouse of the deceased
  - Declarations of renunciation of inheritance
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- If applicable, presentation or information on wills or inheritance contracts

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- Information on whether there is a court case regarding your inheritance rights
  - For married couples, proof of marital property status
  - In the case of registered civil partnerships, proof of assets
  - Statement or proof that estate items are located abroad

If the testator had no children, the following must be submitted:

- Birth certificate of the testator
- If applicable, death certificates of the testator's parents
  - If applicable, birth certificates of the testator's siblings
  - If applicable, death certificates of the testator's siblings
  - If applicable, birth certificates of the testator's nieces and nephews

In addition, marriage certificates of heirs must be submitted if their surname has changed as a result of the marriage.

## Voraussetzungen

- You are the sole heir.
- You inherit an inheritance that includes items at home and abroad.

## Kosten

- The amount of the fees depends on the value of the estate in Germany 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

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	advance on costs.
Verfahrensablauf	<p>You apply for a certificate of sole heir at the responsible probate court (usually the court in whose district the deceased last lived):</p> <ul style="list-style-type: none"> <li>• Submit an application for a sole inheritance certificate           <ul style="list-style-type: none"> <li>• Please use the form provided.</li> <li>• Attach all required documents.</li> <li>• Alternatively, you can submit the application               <ul style="list-style-type: none"> <li>• through an authorised person, such as a notary or a lawyer, or</li> <li>• make a statement in court.</li> </ul> </li> <li>• 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.               <ul style="list-style-type: none"> <li>• This is not necessary if the district court waives it.</li> <li>• If a notary certifies the declaration under oath, this person can at the same time certify the application for a certificate of inheritance.</li> <li>• The local court checks your eligibility and issues the certificate of inheritance.</li> </ul> </li> </ul> </li> </ul>
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance case and the respective local court.
Frist	No
weiterführende Informationen	<a href="https://justiz.hamburg.de/gerichte/amtsgericht-hamburg">https://justiz.hamburg.de/gerichte/amtsgericht-hamburg</a> <a href="https://justiz.hamburg.de/gerichte-segmente/">https://justiz.hamburg.de/gerichte-segmente/</a> <a href="https://justiz.hamburg.de/gerichte/amtsgericht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-39942">https://justiz.hamburg.de/gerichte/amtsgericht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-39942</a> <a href="https://justiz.hamburg.de/amtsgericht/1287500/nachlassgericht.html">https://justiz.hamburg.de/amtsgericht/1287500/nachlassgericht.html</a> <a href="https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&amp;v=14">https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&amp;v=14</a> <a href="https://www.bmj.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&amp;v=33">https://www.bmj.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&amp;v=33</a> <a href="https://justiz.hamburg.de/gerichte/amtsgericht-hamburg">https://justiz.hamburg.de/gerichte/amtsgericht-hamburg</a>

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<https://justiz.hamburg.de/resource/blob/637464/b2fc49b461e8f1cc988c45390f5aa2ae/erbscheinsantrag-data.pdf>  
<https://justiz.hamburg.de/resource/blob/573470/acb60160ebe644fcd39ff3b01bf74aea/erbscheinsantrag-data.pdf>

## Hinweise

**\*\*Please note:**  
 The probate court does not provide legal advice. Please contact the persons authorized to provide legal advice. These are lawyers or notaries.  
 The [Public Legal Advice Service (ÖRA)](<https://www.hamburg.de/oera/>) offers low-cost legal advice for people with low incomes.\*\*

## Rechtsbehelf

**\*\*Complaint\*\***

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.

**\*\*challenge\*\***

By applying for the certificate of inheritance, the inheritance is automatically deemed to have been

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accepted - it is then no longer possible to renounce the inheritance.

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).

It is recommended that you seek legal advice from a lawyer. The district court is not allowed to provide legal advice.

**\*\*Application for confiscation of the certificate of inheritance\*\***

**Kurztext**

- Apply for a limited sole inheritance certificate
  - Single inheritance certificate Issuance of a limited inheritance certificate
  - 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.
  - If parts of the estate are located abroad, the certificate of inheritance can be limited to the assets in question that exist in Germany.
  - The sole heir must submit an informal application for a limited certificate of inheritance.

**Ansprechpunkt**

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/12518)

**Zuständige Stelle**

Hamburg District Court

**Formulare**
**Ursprungsportal**

Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)