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Joint inheritance certificate granting disposition upon death

Heruntergeladen am 06.07.2025

<https://fimportal.de/xzufi-services/S1000020010000012613/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99046068001002
Leistungsbezeichnung I	Joint inheritance certificate granting disposition upon death
Leistungsbezeichnung II	Apply for a joint inheritance certificate based on a will or inheritance contract
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">apply for a certificate of inheritance</div> , <div lang="en-x-mtfrom-de">Certificate of inheritance</div> , <div lang="en-x-mtfrom-de">several heirs</div> , <div lang="en-x-mtfrom-de">Certificate of inheritance for several people</div> , <div lang="en-x-mtfrom-de">Community of heirs Certificate of inheritance</div> , <div lang="en-x-mtfrom-de">Certificate of inheritance based on a will</div>

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Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	26.09.2023
Fachlich freigegeben durch	
Handlungsgrundlage	§§ 2353 – 2370 German Civil Code (BGB) Sections 352 to 352 e of the Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) Fee table: Court and Notary Fees Act (GNotKG) Annex 2 (to Section 34 Paragraph 3) § 58 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) § 59 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) § 63 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG)
Teaser	The probate court can also issue a so-called joint inheritance certificate for several heirs. Any co-heir can apply for a joint inheritance certificate.
Volltext	When a testator dies, he usually leaves not just one heir, but several heirs. When they inherit, they enter the so-called community of heirs. In principle, every individual co-heir can apply for a certificate of inheritance with which they can identify themselves as the legal heir to third parties. However, if the community of heirs wants to act together and act towards banks, insurers and the land registry office, a joint certificate of inheritance is often necessary. As a rule, no certificate of inheritance is required for a clear will recorded before a notary.
Erforderliche Unterlagen	Official photo ID e.g. your identity card or passport Death certificate of the testator (deceased person from whom the inheritance is made) Family register for

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documenting kinship Information on whether there is a lawsuit regarding your inheritance rights Names and addresses of co-heirs Evidence of the reason why certain persons who would actually inherit are no longer heirs, for example their death certificates, declarations of renunciation or waiver of inheritance If applicable, wills or inheritance contracts The marital property regime (for married couples) or the asset status (for registered civil partnerships)

Voraussetzungen

There are co-heirs and they would like to apply for a joint inheritance certificate based on a will or inheritance contract.

Kosten

The amount of the fees depends on the value of the estate (inherited assets) after deducting the debts of the testator (deceased person). For example, the issuing of a certificate of inheritance 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 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 public. In addition, there may be additional costs for writing and sales tax. Applicants residing abroad may be required to pay an advance on costs.

Verfahrensablauf

You apply for a joint certificate of inheritance at the responsible probate court (usually the court in whose district the deceased last lived): Submit an application for a certificate of inheritance Please use the form provided. Attach all required documents. The application for a certificate of inheritance must only be submitted by one co-heir. 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. After you have applied for the certificate of

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	inheritance, the local court will check your eligibility and issue the certificate of inheritance.
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance case and the respective local court.
Frist	No
weiterführende Informationen	https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-39942 https://justiz.hamburg.de/amtsgerecht/1287500/nachlassgericht.html https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&v=14 https://www.bmj.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33 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 https://justiz.hamburg.de/resource/blob/573470/acb60160ebe644fcd39ff3b01bf74aea/erbscheinsantrag-data.pdf
Hinweise	Only one of the co-heirs must submit the application for a certificate of inheritance. 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) 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 inheritance certificate immediately. The district court issues a decision stating that it considers the facts necessary to substantiate the application for a certificate of inheritance to have been established. The parties then

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have the opportunity, in accordance with Sections 58 and 63 FamFG, to lodge an appeal against this decision within a period of one month. The certificate of inheritance will only be issued if, after the expiry of the one-month period, no one has lodged an appeal against the decision of the probate court and the decision has thus become final and binding. In addition, according to Section 59 FamFG, a person who was unable to convince the probate court with his or her arguments in the inheritance certificate procedure and whose rights are thereby impaired can file an appeal. Challenge By applying for the certificate of inheritance, the inheritance is automatically considered accepted – renouncing the inheritance is then no longer possible. Heirs can then only prevent the inheritance by contesting the acceptance of the inheritance. However, a reason must be provided that justifies the contestation (for example, certain errors). It is recommended that you seek legal advice from a lawyer. The district court is not permitted to provide legal advice. In the case of partial and joint inheritance certificates, each heir within the community of heirs is entitled to contest the certificate.

Kurztext

Apply for a joint certificate of inheritance based on a will or inheritance contract If there are co-heirs, they can apply to the probate court for a joint certificate of inheritance. The certificate of inheritance is an official certificate issued by the probate court that provides information about the inheritance rights of certain persons. The joint certificate of inheritance can be issued on the basis of a will or according to the legal succession.

Ansprechpunkt

If you want to find out exactly who is responsible for your request, please follow the link to

Authority finder Hamburg

Zuständige Stelle

Hamburg District Court

Formulare
Ursprungsportal

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