

99046010052000

# Sole heir certificate confiscation

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/S1000020010000013147/S100002>

| Modul                     | Sachverhalt                                                                                                                                                                                                         |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Leistungsschlüssel        | 99046010052000                                                                                                                                                                                                      |
| Leistungsbezeichnung I    | Sole heir certificate confiscation                                                                                                                                                                                  |
| Leistungsbezeichnung II   | Sole heir certificate confiscation                                                                                                                                                                                  |
| 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">Certificate of inheritance incorrect</div>, <div lang="en-x-mtfrom-de">Certificate of inheritance false heirs</div>, <div lang="en-x-mtfrom-de">Certificate of inheritance invalid</div> |
| Leistungstyp              |                                                                                                                                                                                                                     |
| Leistungsgruppierung      |                                                                                                                                                                                                                     |
| Verrichtungskennung       |                                                                                                                                                                                                                     |
| SDG-Informationsbereich   |                                                                                                                                                                                                                     |
| Lagen Portalverbund       |                                                                                                                                                                                                                     |

| Modul                         | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Einheitlicher Ansprechpartner | Nein                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Fachlich freigegeben am       | 20.03.2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Fachlich freigegeben durch    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Handlungsgrundlage            | § 2361 German Civil Code (BGB) § 353 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Teaser                        | If it subsequently turns out that the person documented in the certificate of inheritance is not the real heir, the certificate of inheritance must be withdrawn.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Volltext                      | If the probate court determines that the person listed in the certificate of inheritance is not the true heir, the probate court must revoke the certificate of inheritance ex officio. The certificate of inheritance then becomes invalid. The incorrect heirs are no longer allowed to dispose of the estate. The true heir can also request the revocation of the certificate of inheritance.                                                                                                                                                                                                                                                                                                                                                                                                        |
| Erforderliche Unterlagen      | The procedure is carried out ex officio by the probate court. If you apply for such a procedure, the following documents are helpful: Your identity card or passport<br>The family register for documenting kinship<br>Information on whether there is a lawsuit regarding your inheritance rights<br>Names and addresses of co-heirs<br>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<br>If applicable, wills or inheritance contracts<br>The marital property regime (for married couples) or the asset status (for registered civil partnerships)<br>Furthermore, everything that proves the inaccuracy of the certificate of inheritance must be submitted. |
| Voraussetzungen               | There is a sole inheritance certificate and this identifies a person as heir who is not an heir.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Kosten                        | The amount of the costs is determined by the value of the estate at the time of the inheritance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| Modul                        | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Verfahrensablauf             | The local court examines ex officio or upon application whether the certificate of inheritance should be withdrawn due to inaccuracy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Bearbeitungsdauer            | The processing time depends on the specific circumstances of the inheritance. Processing times may vary in the individual probate courts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Frist                        | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| weiterführende Informationen | <a href="https://justiz.hamburg.de/gerichte/amtsgericht-hamburg">https://justiz.hamburg.de/gerichte/amtsgericht-hamburg</a><br><a href="https://justiz.hamburg.de/gerichte-segmente/">https://justiz.hamburg.de/gerichte-segmente/</a><br><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><br><a href="https://justiz.hamburg.de/amtsgericht/1287500/nachlassgericht.html">https://justiz.hamburg.de/amtsgericht/1287500/nachlassgericht.html</a><br><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><br><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> |
| 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) offers low-cost legal advice for people with low incomes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Rechtsbehelf                 | An appeal may be lodged against the confiscation decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Kurztext                     | Sole heir certificate confiscation The certificate of inheritance is an official certificate issued by the probate court that provides information about the inheritance rights of certain persons. If the person named in the certificate of inheritance is not the true heir, the certificate of inheritance must be withdrawn. The withdrawal of the certificate of inheritance can also be initiated by the true heir.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Ansprechpunkt                | <p>If you want to find out exactly who is responsible for your request, please follow the link to</p> <p>Authority finder Hamburg</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| Modul             | Sachverhalt                                                                                           |
|-------------------|-------------------------------------------------------------------------------------------------------|
| Zuständige Stelle | Hamburg District Court                                                                                |
| Formulare         |                                                                                                       |
| Ursprungsportal   | Behördenfinder Hamburg, Authority finder Hamburg<br>(Currently this link is only available in german) |