

99046010052000

Withdraw certificate of inheritance

Heruntergeladen am 23.07.2025

<https://fimportal.de/xzufi-services/6000206-99046010052000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99046010052000
Leistungsbezeichnung I	Withdraw certificate of inheritance
Leistungsbezeichnung II	Withdraw certificate of inheritance
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

Modul
Sachverhalt
Fachlich freigegeben durch
Handlungsgrundlage

- §§ 2361 und 2362 Bürgerliches Gesetzbuch (BGB) – Einziehung oder Kraftloserklärung des unrichtigen Erbscheins; Herausgabe- und Auskunftsanspruch des wirklichen Erben
- § 353 Gesetz über das Verfahren in Familiensachen und in Angelegenheiten der freiwilligen Gerichtsbarkeit (FamFG) – Einziehung und Kraftloserklärung von Erbscheinen
- § 435 FamFG – Öffentliche Bekanntmachung
- Gesetz über Kosten der freiwilligen Gerichtsbarkeit für Gerichte und Notare (Gerichts- und Notarkostengesetz – GNotKG), Anlage 1 (zu § 3 Absatz 2) Kostenverzeichnis, Nummer 12215

Teaser

The issue of the certificate of inheritance officially certifies who is the heir of the deceased person (certificate of inheritance rights). If, after issuing the certificate of inheritance, the probate court comes to the conclusion that the conditions for issuing the certificate were not originally met or have subsequently ceased to exist, it will order the certificate of inheritance to be revoked.

Volltext

The issue of the certificate of inheritance officially certifies who is the heir of the deceased person (certificate of inheritance rights). If, after issuing the certificate of inheritance, the probate court comes to the conclusion that the conditions for issuing the certificate were not originally met or have subsequently ceased to exist, it will order the certificate of inheritance to be revoked.

Erforderliche Unterlagen

none

Voraussetzungen

The probate court establishes the incorrectness of the certificate of inheritance (example: incorrect information on the heirs or the inheritance shares).

Kosten

- Procedural costs: 0.5 times the full fee (depending on the value of the matter), up to a maximum of EUR 400.00

Verfahrensablauf

- If there is any doubt about the accuracy of a certificate of inheritance, the probate court will make

Modul
Sachverhalt

the necessary enquiries ex officio.

- If your position as heir is impaired by an incorrect certificate of inheritance, you can also apply to the probate court to have the certificate of inheritance confiscated and demand that the holder of the incorrect certificate of inheritance hand it over to the probate court.

If the certificate of inheritance cannot be obtained immediately, the probate court will declare it invalid by order. The decision to declare the certificate invalid is publicised. This is done by posting it on the court notice board and publishing it once in the Federal Gazette. Instead of being posted, the public announcement may be made in an electronic information and communication system that is publicly accessible in the court.

Bearbeitungsdauer
Frist

The cancellation becomes effective one month after publication in the Federal Gazette. Once the resolution has been published, it can no longer be contested.

weiterführende Informationen
Hinweise
Rechtsbehelf

The person concerned may lodge an appeal against the cancellation of the certificate of inheritance in accordance with Section 58 (1) FamFG.

Kurztext
Ansprechpunkt
Zuständige Stelle
Formulare
Ursprungsportal