

99046034155000, 99046034155000

Community of heirs: Settlement of heirs and action for division of the estate

Heruntergeladen am 25.06.2025

<https://fimportal.de/xzufi-services/8938413/L100012>

Modul	Sachverhalt
Leistungsschlüssel	99046034155000, 99046034155000
Leistungsbezeichnung I	Community of heirs: Settlement of heirs and action for division of the estate
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Schleswig-Holstein
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Vermittlung (155)
SDG-Informationsbereich	

Modul	Sachverhalt
Lagen Portalverbund	Erbschaft, Nachlass und Testament (1190200), Außergerichtliche Verfahren und Streitschlichtung (1150100), Gerichtliche Entscheidungen (2140300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/famfg/_363.html https://www.gesetze-im-internet.de/famfg/_363.html
Teaser	A community of heirs is a group of people who jointly inherit the estate of a deceased person.
Volltext	If a deceased person has been inherited by several people, they together form what is known as a community of heirs. The law does not allocate different items to each individual. Instead, the estate belongs to the heirs jointly. All heirs are entitled to their share of the deceased's assets, i.e. the entirety of the estate. This also means that, in principle, no co-heir can dispose of an item alone. In principle, the cooperation of all heirs is required. If the estate is to be divided, the heirs must agree on the division. Each co-heir can, in principle, request what is known as "co-heir distribution". If no agreement can be reached, the co-heirs can ask the notary to mediate in the division of the estate. However, any co-heir can derail this procedure by filing an objection. You can also initiate a partition auction for real estate. Irrespective of this, the joint division of the estate can also be pursued in court - known as an action for division of the estate - by submitting an estate division plan. The estate distribution plan must provide for the division of the community of heirs in accordance with the statutory provisions or the testamentary dispositions of the testator. The ordinary civil courts, rather than the probate courts, are generally responsible for such an action for the distribution of an estate.

Modul	Sachverhalt
Erforderliche Unterlagen	
Voraussetzungen	
Kosten	
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	• In the case of inheritance disputes, to a notary, • In the case of an inheritance distribution action, to the competent civil court (local, regional or higher regional court). https://www.justizadressen.nrw.de/de/justiz/suche https://www.justizadressen.nrw.de/de/justiz/suche
Zuständige Stelle	
Formulare	
Ursprungsportal	Community of heirs: Settlement of heirs and action for division of the estate, Erbengemeinschaft: Erbauseinandersetzung und Erbteilungsklage