

99046010001002

Granting a sole heir certificate due to death

Heruntergeladen am 25.07.2025

<https://fimportal.de/xzufi-services/237896024/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046010001002
Leistungsbezeichnung I	Granting a sole heir certificate due to death
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erbansprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Erbschaft, Nachlass und Testament (1190200), Urkunden und Bescheinigungen (1070200)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	24.06.2021
Fachlich freigegeben durch	Ministry of Justice of Lower Saxony
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377
Teaser	If you have decided to accept your inheritance, in many cases you will need proof of your inheritance rights. If you are designated as the sole heir in a will, this will be established in a certificate of inheritance.
Volltext	A sole heir certificate attests to the inheritance rights of a single person who was appointed by the testator in his will as sole or universal heir.
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Your identity card or passport, • the death certificate of the deceased person (testator), • the family record book to document the relationship, • Information on whether there is a lawsuit concerning your inheritance rights, • Names and addresses of the co-heirs, • Proof of the reason why certain persons who would actually inherit are no longer heirs, e.g. their death certificates, declarations of inheritance or waivers of inheritance, • wills or inheritance contracts, if applicable, • the matrimonial property regime (in the case of married couples) or the asset status (in the case of registered civil partnerships).
Voraussetzungen	Only the sole heir can apply for a certificate of sole inheritance.
Kosten	<ul style="list-style-type: none"> • The fees for a certificate of inheritance are regulated in the German Court and Notary Fees Act (GNotKG) and are based on the estate value after deduction of debts. • In addition to the fee for issuing a certificate of inheritance, there may be costs for declarations in lieu

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	of an oath and notary fees - plus statutory VAT.
Verfahrensablauf	After you have applied for the certificate of inheritance, the local court will check your entitlement and issue the certificate of inheritance.
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance case.
Frist	none
weiterführende Informationen	https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&v=20 https://www.bmj.de/DE/themen/gesellschaft_familie/erbrecht/erbrecht.html https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&v=20 https://www.bmj.de/DE/themen/gesellschaft_familie/erbrecht/erbrecht.html
Hinweise	
Rechtsbehelf	<p>Appeal</p> <p>If there are conflicting interests in the certificate of inheritance proceedings before the probate court, the probate court may not grant the certificate of inheritance immediately. The local court issues an order in which it states that it considers the facts required to justify the application for a certificate of inheritance to have been established.</p> <p>Pursuant to Sections 58 and 63 FamFG, the parties involved then have the opportunity to lodge an appeal against this decision within a period of one month.</p> <p>The certificate of inheritance is only issued if no one has lodged an appeal against the probate court's decision after the one-month period has expired and the decision has thus become legally binding.</p> <p>In addition, pursuant to Section 59 FamFG, a person who was unable to convince the probate court with their arguments in the certificate of inheritance</p>

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proceedings and whose rights have been impaired as a result can lodge an appeal.

Contestation

By applying for a certificate of inheritance, the inheritance is automatically deemed to have been accepted - it is then no longer possible to contest the inheritance.

Heirs can then only avoid the inheritance by contesting the certificate of inheritance. However, a reason for contesting must be proven. In principle, only the person who would benefit from a contestation may contest a certificate of inheritance. It is recommended that you seek legal advice from a lawyer.

Sole heir certificates: These can only be contested by sole heirs.

Partial certificates of inheritance and joint certificates of inheritance: Every heir within the community of heirs is entitled to contest the certificate.

https://www.gesetze-im-internet.de/famfg/_58.html

https://www.gesetze-im-internet.de/famfg/_59.html

https://www.gesetze-im-internet.de/famfg/_63.html

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https://www.gesetze-im-internet.de/famfg/_63.html

Kurztext

- A sole heir can apply to the probate court for a certificate of inheritance
- A certificate of inheritance is an official certificate issued by the probate court that provides information about the inheritance rights of a specific person
- Someone can be designated as an heir on the basis of a will

Ansprechpunkt
Zuständige Stelle
Formulare

Forms are not required.

Ursprungsportal

Granting a sole heir certificate due to death, Alleinerbschein erteilen aufgrund von Tod