

99046010001001, 99046010001001

Applying for a certificate of sole inheritance due to statutory succession

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/430828831/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99046010001001, 99046010001001
Leistungsbezeichnung I	Applying for a certificate of sole inheritance due to statutory succession
Leistungsbezeichnung II	Applying for a certificate of sole inheritance due to statutory succession
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Erteilung (001)

Modul	Sachverhalt
SDG-Informationsbereich	Erbansprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Urkunden und Bescheinigungen (1070200), Erbschaft, Nachlass und Testament (1190200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	15.11.2021
Fachlich freigegeben durch	Federal Ministry of Justice and Consumer Protection
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_2353.html https://www.gesetze-im-internet.de/famfg/_352.html
Teaser	If you are the sole heir according to statutory succession, you can apply to the probate court for a sole heir certificate to prove your status as an heir.
Volltext	If the deceased person has not left a will or concluded an inheritance contract, statutory succession applies. In many cases, you will need proof of your right to inherit. The sole heir certificate proves that you are the sole legal successor to the deceased. For example, it gives you access to a bank account of the deceased person or you can apply for entries in the land register.
Erforderliche Unterlagen	• Identity card or passport • Death certificate of the deceased • Documents documenting the status as legal heir, for example • Family register • birth certificate • Marriage certificate • Information on whether there is a lawsuit regarding your inheritance rights • Proof of why certain persons who would actually be (co-)heirs are not heirs, for example: • Death certificates • Declarations of inheritance • Declarations of renunciation of inheritance • if applicable, wills or inheritance contracts or at least details thereof, for example in the case of special

Modul	Sachverhalt
	official custody • for married couples: Proof of the matrimonial property regime • for registered civil partnerships: Proof of property status
Voraussetzungen	You can only apply for a sole heir certificate if you are the sole heir.
Kosten	• The amount of the fees depends on the value of the estate after deduction of the deceased's debts. • The issuing of a sole certificate of inheritance by the probate court costs, for example • for an estate value of EUR 30,000 EUR 125.00, • EUR 273.00 for an estate value of EUR 100,000 and • EUR 935.00 for an estate value of EUR 500,000. • In addition, you must pay fees of the same amount for the notarization of an affidavit at the probate court or with a notary. You may also have to pay writing expenses and VAT.
Verfahrensablauf	You must apply for a certificate of sole inheritance at the competent probate court (local court): • Submit an informal application there for a certificate of sole inheritance and attach all the necessary documents. • Alternatively, you can submit the application via an authorized person, such as a notary or lawyer, or you can make a statement for the record at court. • Make an affidavit in person before the local court or before a notary. In doing so, you confirm that you are not aware of anything that contradicts the accuracy of the information you have provided in the application for a certificate of inheritance. • This is not necessary if the local court waives this requirement. • If a notary notarizes the declaration in lieu of an oath, this person can also notarize the application for a certificate of inheritance. • The local court will check your entitlement and issue the certificate of inheritance.
Bearbeitungsdauer	
Frist	You do not have to meet any deadlines.

Modul	Sachverhalt
weiterführende Informationen	https://www.bmjv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33 https://www.bmjv.de/DE/Themen/FamilieUndPartnerschaft/Erbrecht/Erbrecht_node.html https://www.bmjv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33 https://www.bmjv.de/DE/Themen/FamilieUndPartnerschaft/Erbrecht/Erbrecht_node.html
Hinweise	https://www.bmjv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33 https://www.mj.niedersachsen.de/download/8161/Broschuere_Vererben_-_Erben._Was_Sie_vom_Erbrecht_wissen_sollten_PDF_ist_nicht_barrierefrei_.pdf https://www.mj.niedersachsen.de/download/89286/Broschuere_Vererben_-_erben_in_Leichter_Sprache_PDF_ist_nicht_barrierefrei_.pdf https://www.bmjv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33 https://www.mj.niedersachsen.de/download/8161/Broschuere_Vererben_-_Erben._Was_Sie_vom_Erbrecht_wissen_sollten_PDF_ist_nicht_barrierefrei_.pdf https://www.mj.niedersachsen.de/download/89286/Broschuere_Vererben_-_erben_in_Leichter_Sprache_PDF_ist_nicht_barrierefrei_.pdf
Rechtsbehelf	• Appeal • Application for revocation of the certificate of inheritance
Kurztext	• Granting a certificate of sole inheritance • 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 • if there is no will or contract of inheritance, the certificate of inheritance is issued according to statutory succession • responsible: Probate court (local court) at the last place of residence of the deceased person
Ansprechpunkt	

Modul	Sachverhalt
Zuständige Stelle	
Formulare	Forms: Online procedure possible: Written form required: no Personal appearance required: • for application: no • for declaration in lieu of an oath: yes
Ursprungsportal	Applying for a certificate of sole inheritance due to statutory succession, Alleinerbschein aufgrund gesetzlicher Erbfolge beantragen