

99046010001003, 99046010001003

Applying for a restricted certificate of sole inheritance

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/430828844/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99046010001003, 99046010001003
Leistungsbezeichnung I	Applying for a restricted certificate of sole inheritance
Leistungsbezeichnung II	Applying for a restricted certificate of sole inheritance
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)
SDG-Informationsbereich	Erbansprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Urkunden und Bescheinigungen (1070200), Erbschaft, Nachlass und Testament (1190200)

Modul	Sachverhalt
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/_352b.html
Teaser	If you are the sole heir, you will often need a certificate of inheritance as proof of your inheritance rights. You can have this restricted to the estate in Germany if the estate is located both in Germany and abroad.
Volltext	A sole heir certificate attests that you are the sole legal successor to the deceased. This is the case if the deceased person has designated you as the sole or universal heir in the will or on the basis of an inheritance contract. Or if you succeed to the estate as the sole heir within the framework of intestate succession because all other co-heirs have renounced the inheritance. You can also apply to the probate court for a restricted certificate of inheritance. If there is an estate abroad in the form of objects, this certificate of inheritance is limited to the estate located in Germany. https://www.gesetze-im-internet.de/famfg/_352c.html
Erforderliche Unterlagen	• Identity card or passport • Death certificate of the deceased person, i.e. the testator • If applicable, documents to document the status as legal heir, for example • family register • Birth certificates, • 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, submission or details of wills or

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	inheritance contracts • for married couples: Proof of the matrimonial property regime • for registered civil partnerships: Proof of the state of assets • Statement or proof that the estate is located abroad
Voraussetzungen	• You are the sole heir • You inherit property in Switzerland and abroad.
Kosten	• The amount of the fees depends on the value of the estate in Germany 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 • declare it to the court for the record. • Make an affidavit in person before the local court or before a notary public. 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.

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Bearbeitungsdauer	
Frist	You do not have to meet any deadlines.
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 with limited objectivity • A sole heir can apply to the probate court for a sole 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 parts of the estate are located abroad, the certificate of inheritance can be limited to the assets located in Germany • the sole heir must submit an informal application for

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	a limited certificate of inheritance for this purpose • Responsible: Probate court (local court) at the last domestic place of residence of the deceased person
Ansprechpunkt	
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	Einen gegenständlich beschränkten Alleinerbschein beantragen, Applying for a restricted certificate of sole inheritance