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# Granting of funeral expenses according to § 74 SGB XII

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/S1000020010000006964/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99101014080000
Leistungsbezeichnung I	Granting of funeral expenses according to § 74 SGB XII
Leistungsbezeichnung II	Social assistance payment of funeral expenses
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Funeral expenses</div>, <div lang="en-x-mtfrom-de">Blind Fund</div>, <div lang="en-x-mtfrom-de">Housekeeping</div>, <div lang="en-x-mtfrom-de">Care for the elderly</div>, <div lang="en-x-mtfrom-de">Funeral, assumption of funeral expenses</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	

Modul	Sachverhalt
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	24.11.2022
Fachlich freigegeben durch	
Handlungsgrundlage	§ 74 Social Code - Twelfth Book (SGB XII) < <a href="http://www.gesetze-im-internet.de/sgb_12/__74.html">http://www.gesetze-im-internet.de/sgb_12/__74.html</a> >
	Section 98 paragraph 3 of the Social Security Code - Twelfth Book (SGB XII) < <a href="http://www.gesetze-im-internet.de/sgb_12/__98.html">http://www.gesetze-im-internet.de/sgb_12/__98.html</a> >
Teaser	If you do not have the financial means to bear the costs of burying a deceased person in your family, you can apply for reimbursement of the costs.
Volltext	<b>**Responsibility:**</b> Although the recipient of this benefit is not the deceased but the person obliged to bear the costs in accordance with Section 74 of the Social Code Book XII, the responsibility for covering the funeral costs depends on the circumstances of the deceased person:
	With regard to jurisdiction, a special regulation has been made in Section 98 Paragraph 3 of the Social Code Book XII.
	<b>**The local authority responsible for covering the funeral costs is therefore the social welfare agency that provided social assistance up to the death of the recipient**</b> or, secondarily, in whose area the place of death is located.
	<b>**Specifically:**</b>  • If a deceased person in Hamburg received social assistance until death, then the district social services office that has previously provided assistance is also responsible for approving the benefit in accordance with Section 74

## Modul

## Sachverhalt

SGB XII.

- If someone died in Hamburg, was registered in Hamburg, but did not receive any social assistance until his death, then the district social services office in whose area the deceased was registered is responsible.

- If someone died in Hamburg, was not registered in Hamburg and received social assistance from a foreign social assistance provider until death, then this institution is also responsible for approving the § 74 SGB XII benefit.

- If someone died in Hamburg, never had a registered address in Hamburg and was not receiving social assistance, then the district office of Hamburg-Mitte (M/GS 8) is responsible for approving the benefit.

- If someone was placed in a facility / home (with the exception of Hamburg nursing homes) by the Hamburg social welfare agency and died there, then the Social Services Centre 11 in the Eimsbüttel District Office, Grindelberg 62-66, 20144 Hamburg, is the office responsible for approving the benefit in accordance with Section 74 SGB XII.

- The same applies if someone was accommodated in Hamburg by a foreign social welfare agency and died there:

In this case, the external social welfare agency is responsible as the office keeping the records,

If you are obliged to bury a deceased person and cannot be expected to bear the necessary costs, you can submit an application for reimbursement of the funeral costs.

The burial of the deceased person must be arranged in the following order:

1. the spouse or registered life partner,
2. the children,
3. the grandchildren,
4. the parents,
5. the grandparents
6. and the siblings.

If it was contractually agreed during the deceased

Modul	Sachverhalt
	<p>person's lifetime who was to arrange the burial, this person must arrange the burial regardless of the public burial obligation.</p>
<b>Erforderliche Unterlagen</b>	<p>Documents depend on the individual case. Basically, the following documents are necessary:</p> <p><b>**Evidence of the deceased person:**</b></p> <ul style="list-style-type: none"> <li>• Proof of death (death certificate or death certificate)</li> <li>• Preparation and valuation of the estate with evidence of assets, in particular: <ul style="list-style-type: none"> <li>• Complete current account statements for the last 3 months</li> <li>• Savings books, investments</li> <li>• Home ownership</li> <li>• Sum insured of life insurance</li> <li>• Current value of the vehicle</li> <li>• Building savings and similar</li> <li>• if available: will or inheritance contract</li> <li>• List of possible heirs and family members of the deceased persons (spouses, children, parents, siblings, grandchildren, grandparents or partners in a marriage-like relationship, other heirs)</li> </ul> </li> </ul> <p><b>**Evidence of the applicant:**</b></p> <ul style="list-style-type: none"> <li>• Certificate of inheritance or proof of renunciation of inheritance</li> <li>• Copies of the type and amount of income for the last 3 months</li> <li>• Information about other relatives of the deceased person (e.g. heirs living in the household and relatives of the deceased person)</li> <li>• Evidence of financial circumstances</li> <li>• Proof of monthly charges</li> <li>• Rental agreement and last rent increase declaration from the landlord (current rent)</li> </ul> <p>If the application is submitted after the funeral, the original invoice from the funeral home must be submitted.</p>
<b>Voraussetzungen</b>	<p>Only a person who is required to have a funeral is entitled to apply.</p>

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Kosten	Gebühr: Es fallen keine Kosten an
Verfahrensablauf	<p>An application must be made to have the funeral expenses covered. As soon as the application and the necessary evidence are available, processing can take place.</p> <p>After the complete application has been checked, you will receive a notification from the competent authority.</p>
Bearbeitungsdauer	The application will be decided immediately. The processing time depends, among other things, on the completeness of the information and the submission of the evidence required for processing the application.
Frist	There is no need to pay attention to the deadlines. However, it is advisable to clarify the question of who will bear the costs in good time with the competent authority.
weiterführende Informationen	
Hinweise	<p>In principle, the criterion for jurisdiction is not the place of death, but the place of residence of the deceased person.</p> <p>If someone did not receive social assistance benefits, died in Hamburg and was registered outside of Hamburg, the Hamburg-Mitte district is responsible.</p>
Rechtsbehelf	contradiction
Kurztext	<p>For social burials, the criterion of jurisdiction is generally not the place of death, but the place of residence of the deceased person.</p> <p>If someone did not receive social assistance benefits, died in Hamburg and was registered outside of Hamburg, the Hamburg-Mitte district is responsible.</p>
Ansprechpunkt	If you want to find out exactly who is responsible for your request, please follow the link to [Hamburg Service](https://www.hamburg.de/service/info/hasi/6964)
Zuständige Stelle	District Office Eimsbüttel

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Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)