

99046013001000

Dunning notice issuance

Heruntergeladen am 11.06.2025

<https://fimportal.de/xzufi-services/S1000020010000012404/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99046013001000
Leistungsbezeichnung I	Dunning notice issuance
Leistungsbezeichnung II	Dunning procedure: Application for issuing a dunning notice
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">electronic reminder - ongoing proceedings</div> , <div lang="en-x-mtfrom-de">electronic dunning request - ongoing process - TEAM B</div> , <div lang="en-x-mtfrom-de">electronic reminder - general request - info center</div> , <div lang="en-x-mtfrom-de">Foreign dunning procedure, Section 77 B, District Court</div> , <div lang="en-x-mtfrom-de">Abbot 77 B, District Court</div> , <div lang="en-x-mtfrom-de">Dunning procedure Altverf (until 1998) Section 77 B, District Court</div>

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Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	[§§ 688 to 703d Code of Civil Procedure (ZPO)](http://www.gesetze-im-internet.de/zpo/BJNR005330950.html#BJNR005330950BJNG075002301)
Teaser	The dunning procedure is a simple and inexpensive way to help the creditor to assert his rights against the debtor. This is intended to avoid lengthy and expensive litigation in court.
Volltext	<p>In the dunning procedure, only claims can be asserted that are aimed at payment of a certain amount of money in euros. Do you want e.g. B. enforce the delivery of goods or the eviction of living space in court, the dunning procedure is not permitted.</p> <p>The special feature of the dunning procedure is that the court does not examine whether the creditor is actually entitled to the asserted claim. Anyone who receives a reminder order must therefore check for themselves whether they owe the creditor the sum of money stated therein.</p> <p>Upon your proper application, the Central Dunning Court will issue a dunning notice, which will be served on the other party ex officio. If your other party files an objection in good time, the proceedings will be referred to the trial court specified in the order for payment if you or the other party apply for the disputed proceedings to be carried out. If the parties</p>

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agree that the case should be referred to another trial court, the case shall be referred to that court. The levy is associated with additional court costs. The claim is then decided in a contentious civil process.

If the other party does not object to the order for payment within the two-week objection period (in labor court proceedings, the objection period is only one week), you can apply to the central dunning court for the enforcement order to be issued. If the opposing party objects to the enforcement order, the legal dispute is passed ex officio to the trial court specified in the application for payment. If the parties agree that the case should be referred to another trial court, the case shall be referred to that court. Otherwise, the enforcement order will become legally effective once the objection period, which is generally two weeks, has expired (in labor court proceedings, the objection period is only one week). You can use the enforcement order to enforce enforcement against the defendant.

Erforderliche Unterlagen

no

Voraussetzungen

You have your residence or place of business in Hamburg or Mecklenburg-Western Pomerania.

Kosten

Court costs are charged for the implementation of the dunning procedure, the amount of which depends on the amount of the claim asserted. The court costs do not have to be paid when the application is submitted, but only after receipt of a cost invoice.

Verfahrensablauf

You must apply for a court order to be issued. There are two ways to do this:

- in writing using a special form that you can obtain from a stationery store
- electronically if you fill out the online dunning application and send it electronically or by post.

Legal offices and collection agencies are obliged to submit the application in machine-readable form. The district court issues a court order and sends it to your counterparty. In it, the latter is requested to pay the debt within two weeks or to object to the dunning notice.

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	<p>If your counterparty does not object to the court order, you can apply for an enforcement order after the two weeks have elapsed.</p> <p>At the same time as the dunning notice is issued, you as the applicant will receive a cost calculation for the dunning procedure. If you cannot afford the costs of the proceedings, you may be entitled to legal aid.</p> <p>The dunning court includes the court costs of the dunning procedure in the dunning notice. If your claim is justified, your opponent must reimburse you for the court costs incurred.</p>
Bearbeitungsdauer	until receipt of an enforceable title: an average of six to eight weeks
Frist	The claim must not be time-barred.
weiterführende Informationen	
Hinweise	no
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	Hamburg-Altona District Court
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)