

99046068052000

Joint certificate of inheritance confiscation

Heruntergeladen am 12.07.2025

<https://fimportal.de/xzufi-services/S1000020010000012806/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99046068052000
Leistungsbezeichnung I	Joint certificate of inheritance confiscation
Leistungsbezeichnung II	Confiscation of a joint certificate of inheritance
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">Withdraw the certificate of inheritance</div>, <div lang="en-x-mtfrom-de">Declare certificate of inheritance invalid</div>, <div lang="en-x-mtfrom-de">Certificate of inheritance incorrect</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	

Modul	Sachverhalt
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	25.09.2023
Fachlich freigegeben durch	
Handlungsgrundlage	§ 2361 German Civil Code (BGB) § 353 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) § 353 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) Fee table: Court and Notary Fees Act (GNotKG) Annex 2 (to Section 34 Paragraph 3)
Teaser	If it later turns out that the heirs named in the certificate of inheritance are not the real heirs, the certificate of inheritance can be withdrawn.
Volltext	If the probate court learns that the heirs listed in the certificate of inheritance are not the real heirs of the testator, it must revoke the certificate of inheritance ex officio. The certificate of inheritance then becomes invalid and the supposed heirs listed in this incorrect certificate of inheritance can no longer jointly dispose of the estate. The real heir can also request the court to revoke the certificate of inheritance.
Erforderliche Unterlagen	The procedure is carried out ex officio by the probate court. If you apply for such a procedure, the following documents are helpful: Official photo ID, for example your identity card or passport, the death certificate of the deceased person (testator) the family register for documenting kinship Information on whether there is a lawsuit regarding your inheritance rights Names and addresses of co-heirs Evidence of the reason why certain persons who would actually inherit are no longer heirs, for example their death certificates, declarations of renunciation or waiver of inheritance if applicable, wills or inheritance contracts the marital property regime (for married couples) or the asset status (for registered civil partnerships)

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Voraussetzungen	There is a joint certificate of inheritance and this identifies persons as heirs who are not heirs.
Kosten	The amount of the costs of the legal proceedings for the confiscation of the certificate of inheritance is determined by the value of the estate less debts.
Verfahrensablauf	The local court examines ex officio or upon application whether the certificate of inheritance should be withdrawn due to inaccuracy.
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance case and the respective local court.
Frist	No.
weiterführende Informationen	https://justiz.hamburg.de/gerichte/amtsgericht-hamburg https://justiz.hamburg.de/gerichte-segmente/ https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera https://justiz.hamburg.de/gerichte/amtsgericht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-636948 https://justiz.hamburg.de/justiz.hamburg.de/gerichte/amtsgericht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-636948 https://www.bmjv.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&v=14 https://www.bmj.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33
Hinweise	Please note: The probate court does not provide legal advice. Please contact the persons authorized to provide legal advice. These are lawyers or notaries. The Public Legal Advice Service (ÖRA) offers low-cost legal advice for people with low incomes.
Rechtsbehelf	An appeal may be lodged against the confiscation decision.
Kurztext	Confiscation of a joint certificate of inheritance The certificate of inheritance is an official certificate issued

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	by the probate court that provides information about the inheritance rights of certain persons The joint certificate of inheritance can be issued on the basis of a will or according to the legal succession If the heirs named in the certificate of inheritance are not the real heirs, the certificate of inheritance can be revoked
Ansprechpunkt	If you want to find out exactly who is responsible for your request, please follow the link to Hamburg Service
Zuständige Stelle	Hamburg District Court
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)