

99046010052000, 99046010052000

Sole heir certificate confiscation

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/376315172/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99046010052000, 99046010052000
Leistungsbezeichnung I	Sole heir certificate confiscation
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Einziehung (052)
SDG-Informationsbereich	Erbsprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Urkunden und Bescheinigungen (1070200), Erbschaft, Nachlass und Testament (1190200)
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	Nein
Fachlich freigegeben am	25.10.2021
Fachlich freigegeben durch	Ministry of Justice of Lower Saxony
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_2361.html https://www.gesetze-im-internet.de/famfg/_353.html
Teaser	If it subsequently transpires that the heir shown in the certificate of inheritance is not the true heir, the certificate of inheritance may be withdrawn.
Volltext	If the probate court learns that the heir listed in the certificate of inheritance is not the real heir of the deceased, it must revoke the certificate of inheritance ex officio. The certificate of inheritance thus becomes invalid and the alleged heir listed in this incorrect certificate of inheritance can no longer dispose of the estate. The confiscation of the certificate of inheritance can also be initiated by the real heir or the real heiress at court.
Erforderliche Unterlagen	The proceedings are conducted ex officio by the probate court. If you request such proceedings, the following documents are helpful: • Your identity card or passport, • the death certificate of the deceased person (testator), • the family record book to document the relationship, • information on whether there is a lawsuit concerning your inheritance, • names and addresses of co-heirs, • evidence of the reasons why certain persons who would actually inherit are no longer heirs, for example, their death certificates, letters testamentary or declarations of renunciation of inheritance, • if applicable, wills or inheritance contracts, • the matrimonial property regime (in the case of married couples) or the property status (in the case of registered civil partnerships).
Voraussetzungen	There is a sole heir certificate and this shows a person as heir who is not an heir.

Modul	Sachverhalt
Kosten	The court shall determine the costs of the court proceedings on the revocation of the certificate of inheritance in accordance with section 353 (2) sentence 1 FamFG. The amount of the costs is determined by the amount in dispute, which is calculated on the basis of the value of the estate less the debts.
Verfahrensablauf	The Local Court shall examine ex officio or on application whether the certificate of inheritance is to be withdrawn on the grounds of incorrectness.
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance case.
Frist	none
weiterführende Informationen	https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.html https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.html
Hinweise	
Rechtsbehelf	An appeal may be lodged against the confiscation order. https://www.gesetze-im-internet.de/famfg/_353.html
Kurztext	• The certificate of inheritance is an official certificate issued by the probate court which provides information about the inheritance rights of certain persons. • The sole certificate of inheritance can be issued on the basis of a will or according to the legal succession. • If the person shown on the certificate of inheritance is not the true heir, the certificate of inheritance can be withdrawn.
Ansprechpunkt	
Zuständige Stelle	
Formulare	Forms are not required.
Ursprungsportal	Alleinerbschein Einziehung, Sole heir certificate confiscation