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# Applying for a residence permit for exceptional hardship cases

Heruntergeladen am 04.07.2025

<https://fimportal.de/xzufi-services/121312510/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99010022001012, 99010022001012
Leistungsbezeichnung I	Applying for a residence permit for exceptional hardship cases
Leistungsbezeichnung II	Applying for a residence permit for exceptional hardship cases
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Anforderungen in Bezug auf Aufenthaltskarten für Unionsbürger und ihre Familienmitglieder,

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	einschließlich Familienmitglieder, die keine Unionsbürger sind
Lagen Portalverbund	Einwanderung (1080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	29.10.2020
Fachlich freigegeben durch	Saxon State Ministry of the Interior
Handlungsgrundlage	<p>§ 5 Residence Act</p> <p>§ 12 Residence Act</p> <p>Section 25 subsection 4 sentence 2 AufenthG</p> <p>Section 29 subsection 3 AufenthG</p> <p>Section 44 Residence Act</p> <p>§ 44a Residence Act</p> <p>§ 78 Residence Act</p> <p>§ 78a Residence Act</p> <p>Section 45 AufenthV</p> <p>Section 50 AufenthV</p> <p>Section 53 AufenthV</p> <p><a href="https://www.gesetze-im-internet.de/aufenthg_2004/">https://www.gesetze-im-internet.de/aufenthg_2004/</a></p> <p><a href="https://www.gesetze-im-internet.de/aufenthv/">https://www.gesetze-im-internet.de/aufenthv/</a></p>
Teaser	Extension of the residence permit due to special personal reasons or special nature of the individual case
Volltext	You are in possession of a residence permit. An extension of your residence permit cannot be extended according to the general regulations. A residence permit according to other regulations is also out of the question. Then this residence permit can be extended for you if, due to special circumstances of the

## Modul

## Sachverhalt

individual case, leaving the Federal territory would mean exceptional hardship for you.

The general conditions for granting a residence permit must also be met (in particular, you must be able to secure your livelihood, your identity must have been clarified, and you must not be interested in being deported).

The residence permit does not entitle you to gainful employment. It can be granted on application by the foreigners authority.

A residence requirement can be imposed on you.

You are entitled to social benefits (basic benefits for job-seekers according to the Social Security Code II or basic benefits in old age or in case of reduced earning capacity according to the Social Security Code XII) and child benefit.

Family reunification is excluded.

They are not entitled to participate in an integration course. They can only be admitted to participate within the scope of available course places.

## Erforderliche Unterlagen

- Presentation of the currently valid residence permit
- Current biometric photo
- Proof of identity, e.g. passport, ID card, birth certificate, marriage certificate; citizenship certificate
- employment contract or binding job offer
- for regulated professions: Your professional licence (for example, licence to practise or licence to practise).
- Proof of health insurance
- Tenancy agreement

## Voraussetzungen

- Possession of a residence permit
- No possibility of extension or issuance of another residence permit
- Special circumstances of the individual case justify exceptional hardship
- Threat of enforceable obligation to leave the country
- Presentation of the general conditions for granting a residence permit (e.g. securing livelihood, sufficient

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	<p>living space, passport obligation)</p> <ul style="list-style-type: none"> <li>• No interest in deportation</li> <li>• No entry and residence ban</li> </ul>
Kosten	<p>When the residence permit is issued, a fee of 100 euros is due (50 euros for minors).</p> <p>Exemption from fees when receiving social benefits</p>
Verfahrensablauf	<p>As a rule, you must apply for the extension of your residence permit due to exceptional hardship in person.</p> <p>Arrange an appointment with your local Aliens' Registration Office (Ausländerbehörde). You can also find out about the application procedure and which documents you need to submit in which form on the respective website of the Aliens' Registration Office.</p> <p>During your appointment, your fingerprints will be taken.</p> <p>If your application is approved, the Aliens' Registration Office will commission the Bundesdruckerei to produce the electronic residence permit. The residence permit is in the form of a cheque card with additional electronic functions.</p> <p>For information on the duration of the procedure until the residence permit is issued, please contact the foreigners authority responsible.</p>
Bearbeitungsdauer	<p>You will usually be informed of the duration of the procedure (about 6 to 8 weeks) when you apply for a residence permit by the competent Aliens' Registration Office. Note: The residence permit is issued as an electronic residence title.</p>
Frist	<p>Validity of the residence permit: • In principle, only for the period necessary to achieve the purpose of residence. Three years at the longest</p>
weiterführende Informationen	
Hinweise	<p>Exceptional hardship can only be assumed if you are in</p>

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	an emergency situation that is clearly different from the situation of other foreigners.
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> <li>• Possession of a residence permit</li> <li>• Extension or issuance of a residence permit on the basis of other regulations is out of the question</li> <li>• Leaving the federal territory constitutes exceptional hardship due to special circumstances of the individual case</li> <li>• Fulfilment of the general conditions for the granting of a residence permit</li> </ul> <p>Legal consequences of the granting of a residence permit:</p> <ul style="list-style-type: none"> <li>• Gainful employment only permitted with the permission of the foreigners authority</li> <li>• Entitlement to social benefits</li> <li>• No family reunification possible</li> <li>• No entitlement to integration course, admission to integration course only within the scope of available course places</li> <li>• No entitlement to extension of residence permit by the foreigners authority</li> <li>• Personal appearance required: yes</li> </ul> <p>Responsible: Your local foreigners authority</p>
Ansprechpunkt	Locally responsible foreigners authority of your independent town or district
Zuständige Stelle	Locally responsible foreigners authority of your independent town or district
Formulare	<p>You will receive the following from your local immigration office</p> <p>Online procedure possible: no</p> <p>Personal appearance required: yes</p>
Ursprungsportal	Beantragen einer Aufenthaltserlaubnis für außergewöhnliche Härtefälle, Applying for a residence permit for exceptional hardship cases