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# Granting a sole heirship certificate

Heruntergeladen am 25.06.2025

<https://fimportal.de/xzufi-services/106231065/L100010>

Modul	Sachverhalt
Leistungsschlüssel	99046010001000, 99046010001000
Leistungsbezeichnung I	Granting a sole heirship certificate
Leistungsbezeichnung II	
Typisierung	2/3a - Bund: Regelung, Land: Vollzug
Quellredaktion	Saarland
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erbansprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Urkunden und Bescheinigungen (1070200), Erbschaft, Nachlass und Testament (1190200)
Einheitlicher Ansprechpartner	Nein

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Fachlich freigegeben am	29.04.2025
Fachlich freigegeben durch	Saarland - Ministry of Justice
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• § Section 1371 of the German Civil Code (BGB)</li> <li>• §§ Sections 1922 - 2385 of the German Civil Code (BGB)</li> <li>• § Section 40 Act on Costs of Voluntary Jurisdiction for Courts and Notaries (Court and Notary Costs Act - GNotKG)</li> <li>• §§ Sections 342 - 345 Act on Proceedings in Family Matters and in Matters of Non-Contentious Jurisdiction (FamFG)</li> <li>• §§ Sections 352 - 352e Act on Proceedings in Family Matters and in Matters of Non-Contentious Jurisdiction (FamFG)</li> </ul>
Teaser	You have inherited alone. In business transactions (e.g. with banks, insurance companies or authorities) it may be necessary to prove your status as an heir by means of a certificate of inheritance.
Volltext	<p>In business transactions (e.g. with banks, insurance companies or authorities) it may be necessary to prove your status as an heir. The right of inheritance is regularly proven by the so-called certificate of inheritance. The certificate of inheritance officially states who the deceased's heir is and what restrictions on disposal they may be subject to. Anyone identified as an heir in the certificate of inheritance can dispose of the estate. Their business partners are protected even if the certificate of inheritance later proves to be incorrect and is confiscated.</p> <p>With the sole certificate of inheritance, the competent probate court confirms your status as the sole heir after the deceased.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Special application together with affidavit</li> <li>• Civil status certificates (birth certificates, death certificate, marriage certificate, extracts from the family register) for all eligible heirs and, if applicable, other relatives</li> <li>• If available: disposition of property upon death (will, contract of inheritance, etc.)</li> </ul>

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	<ul style="list-style-type: none"> <li>• Valid identification documents</li> <li>• If applicable, further evidence depending on the case of inheritance</li> </ul> <p>Note: Civil status documents must be submitted in the original or as a certified copy, simple copies are not sufficient.</p>
Voraussetzungen	To apply for a sole heir certificate, one person must be deceased and you must be the sole heir after this person.
Kosten	<p>Fees are charged for the issue of the certificate of inheritance in accordance with the Act on Costs of Voluntary Jurisdiction for Courts and Notaries (Gerichts- und Notarkostengesetz - GNotKG).</p> <p>The amount of the fees is generally based on the value of the estate at the time of the inheritance. Liabilities originating from the deceased are generally deducted when determining the value (Section 40 (1) sentence 2 GNotKG).</p> <p>Liabilities originating from the deceased do not include so-called inheritance debts, i.e. e.g. funeral costs, legacies, compulsory portion claims, etc.</p>
Verfahrensablauf	<p>The application for a certificate of inheritance can be made in writing or on the record of the probate court.</p> <p>It is also possible to submit an application as an electronic document using a qualified electronic signature or a simple signature and using a secure transmission channel in accordance with Section 14 (2) of the Act on Proceedings in Family Matters and in Matters of Non-Contentious Jurisdiction (FamFG) in conjunction with Section 130a (4) of the Code of Civil Procedure (ZPO).</p> <p>However, you must provide certain information in the application in lieu of an oath. Due to the formal requirements of the affidavit, the application is usually submitted via a notary or on the record of the probate court.</p>

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The application must be directed towards the issue of a specific certificate of inheritance. In particular, the reason for the appeal (statutory succession or testamentary disposition) and the inheritance quota must be stated.

As soon as all the necessary documents have been submitted, the probate court will check whether the requirements for issuing a sole certificate of inheritance are met. If all requirements are met, the certificate of sole inheritance is issued.

If the requirements for issuing the certificate of inheritance are not met, you will receive a decision informing you of this and explaining the reasons why it should not be issued.

## Bearbeitungsdauer

### Frist

There is no deadline for applying for a certificate of inheritance. An application can be made at any time after the death of the deceased. However, the land register can only be transferred to the heir(s) free of charge within two years of the death. The certificate of inheritance and the land register correction should therefore be applied for in good time.

## weiterführende Informationen

### Hinweise

### Rechtsbehelf

The rejection of the application can be appealed against in accordance with §§ 58 ff. FamFG within one month.

### Kurztext

- After an inheritance, it may be necessary to apply for a certificate of inheritance in order to be able to participate in business transactions, for example.
- This must be applied for at the probate court of the competent district court.

## Ansprechpunkt

### Zuständige Stelle

The local court in whose district the deceased had their habitual residence at the time of death has jurisdiction

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as the probate court. You can find the local court with jurisdiction for you via the local and court directory in the federal and state justice portal. You can access the directory online:  
<https://www.justizadressen.nrw.de/de/justiz/suche>  
<https://www.justizadressen.nrw.de/de/justiz/suche>

## Formulare

### Ursprungsportal

Alleinerbschein Erteilung, Granting a sole heirship certificate