

4. October 2022

## **THE TAX-EXEMPT DONATION OF A FAMILY HOME IN GERMAN INHERITANCE AND GIFT TAX LAW**

IN THE COURSE OF THE INHERITANCE TAX REFORM ACT OF DECEMBER 24, 2008, THE LEGISLATOR REVISED THE TAX EXEMPTION FOR THE DONATION OF A FAMILY HOME AND EXTENDED IT TO CASES OF ACQUISITION UPON DEATH. A RULING BY THE BFH (GERMAN FEDERAL FISCAL COURT) DATED DECEMBER 01, 2021 (II R 18/20) ON THE QUESTION OF THE CIRCUMSTANCES UNDER WHICH THE SELF-USE OF THE FAMILY HOME BY THE HEIR MAY BE ABANDONED WITHOUT LOSING THE BENEFIT OF THE TAX EXEMPTION PROVIDES AN OPPORTUNITY TO DISCUSS THE BASIC FUNCTIONING AND BACKGROUND OF THE TAX EXEMPTION. [\(more...\)](#)