

**Öffentliche Zustellung der Rechtswahrenden Mitteilung gemäß § 7 Unterhalts-  
vorschussgesetz (UVG) mit Information für den barunterhaltspflichtigen Eltern-  
teil und Inverzugsetzung und Zahlungsaufforderung vom 11.04.2023,  
Az. UV Noori, Mustafa & Atefeh**

**Herrn  
Mohammad Zaher Noori  
Alter: 61 Jahre  
Geburtsort: Orozgan (Afghanistan)**

**letzte bekannte Meldeanschrift:  
Lt. Angaben von Frau Chaman Khawari ist Herr Mohammad Zaher Noori in  
Afghanistan wohnhaft. Eine Meldeanschrift ist nicht bekannt.**

wird hiermit gemäß § 10 des Landeszustellungsgesetzes (LZG) NRW öffentlich zuge-  
stellt.

Wegen des unbekanntes Aufenthaltes der vorgenannten Person war die Zustellung  
der rechtswahrenden Mitteilung durch die Post gemäß § 3 LZG NRW nicht möglich.  
Es ist daher die öffentliche Zustellung gemäß § 10 LZG NRW durchzuführen.

Durch die öffentliche Bekanntmachung wird die Frist in Gang gesetzt, nach deren Ab-  
lauf Rechtsverluste drohen.

Die rechtswahrende Mitteilung kann bei der Stadtverwaltung Sprockhövel, SG I.3.1,  
Rathausplatz 4, 45549 Sprockhövel, Zimmer E.06 vom Betroffenen gegen Vorlage des  
Personalausweises abgeholt oder eingesehen werden. Auskunft zur Sache erteilt Frau  
Rauch.

Sprockhövel, 11.04.2023

Die Bürgermeisterin  
Im Auftrag



Rauch

Stadt Sprockhövel • Postfach 92 20 40 • 45541 Sprockhövel

Herr  
Mohammad Zaher Noori

Afghanistan

Rathausplatz 4, 45549 Sprockhövel  
Telefon: (02339) 917-0  
Telefax: (02339) 917-300  
E-Mail: [info@sprockhoevel.de](mailto:info@sprockhoevel.de)

**Öffnungszeiten Rathaus:**

Montag-Freitag 08:00-12:00 Uhr  
Montag 14:00-16:30 Uhr

**Ansprechpartner\*in: Frau Rauch**

E-Mail: [rauch@sprockhoevel.de](mailto:rauch@sprockhoevel.de)  
Durchwahl-Nr.: (02339) 917- 161  
Telefax-Nr.: (02339) 917- 370

Zimmer-Nr.: E 0.6  
Sachgebiet: Verw.dienste Jugendamt  
Mein Zeichen: UV Noori, Mustafa

Datum: 11.04.2023

**Information for the parent liable to pay cash maintenance**

**Subject:**  
**Demand for payment, warning and notice of default**

Dear Mr Noori,

Mrs Chaman Khawari has applied for the award of benefits according to the Law on Advances of Maintenance Payments (Unterhaltsvorschussgesetz, UVG) for your son Mustafa Noori, geb. 01.01.2006 and your daughter Atefeh Norri, geb. 01.01.2010.

She stated that:

- As parents of the children, you are permanently living separately and that you do not fulfil, or do not regularly fulfil, your obligation to pay maintenance and
- she **is raising the children alone**. This means that the children are living only in her household and that he has predominantly taken on responsibility for fulfilling the children's basic needs.

**1. Obligation to pay maintenance:**

According to Sections 1601 ff. of the German Civil Code (BGB), you are obligated to pay maintenance for your children. Those who do not fulfil their legal obligation to pay maintenance are liable for prosecution according to Section 170 (1) of the German Criminal Code (StGB), if the living costs of the person entitled to maintenance are jeopardised or would be jeopardised without help from others. This can be punished with a prison sentence of up to three years or with a financial penalty.

I assume that you are able to pay maintenance for your children.

According to Section 1603 (2) BGB, you must make every effort to pay the minimum amount of maintenance for your minor child. The minimum amount of maintenance for a child under the age of 6 years old is € 437.00 per month, for a child between the ages of 6 and 11 years old €

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Konten der Stadtkasse:

Sparkasse Schwelm-Sprockhövel IBAN: DE72 4545 1555 0001 0000 17; BIC: WELADED1SLM  
Volksbank Sprockhövel eG IBAN: DE12 4526 1547 0004 6463 01; BIC: GENODEM1SPO

502.00 per month and for a child between the ages of 12 and 17 years old € 588.00 per month. These amounts are reduced by half of the child benefit.

## **2. Demand for payment**

I request that you fulfil your obligation to pay maintenance without delay.

The amount of maintenance in fact owed by you for your children, which is adjusted according to your personal income level and financial circumstances, may well be more than the minimum amount of maintenance described above.

## **3. Notice of default and maintenance payment:**

With regards to the obligation to pay maintenance, you are hereby put into default. I assume that, in the interests of your child, you will with immediate effect pay maintenance at least at the level of the minimum amount of maintenance. In order to ensure that you pay to the correct account and thereby free yourself from your obligation to pay maintenance, I request that you contact me before your first payment for your children.

If you are currently unemployed, you are obliged, due to your increased obligation to pay maintenance, to seek employment on your own initiative, thoroughly and inter-regionally, in order to allow you to pay the minimum amount of maintenance. According to the judgement of the Federal Supreme Court, there is an extended obligation to find employment, including jobs below your educational level, secondary employment and overtime work. Within reasonable limits, both a change of location and a change of profession can be required. Solely reporting to the employment office is not sufficient to meet these requirements.

## **4. Transfer of demand and interest**

If the advances on maintenance payments for the children are approved, by law the children's claim for maintenance is transferred to the state of North Rhine-Westphalia, represented by the Regional Financial Authority. The state can then assert its claim for maintenance against you in its own name.

You must refund the spent advances on maintenance payments amounting to the transferred claim for maintenance to the state of North Rhine-Westphalia. The advances on maintenance payments are currently:

- For a child below the age of 6 years old, € 187.00 monthly
- For a child between the ages of 6 and 11 years old, € 252.00 monthly and
- For a child between the ages of 12 and 17 years old, € 338.00 monthly.

The Regional Financial Authority will enforce this demand against you and will therefore contact you as soon as the advances on maintenance payments are approved.

If you make a payment to the children despite knowledge of the transfer of demand, you will not release yourself from payment to the new creditor, the state of North Rhine-Westphalia. The state of North Rhine-Westphalia's claim against you remains un-changed and can be asserted (again) against you.

Interest will be paid on the demand against you due to advances granted on maintenance payments. The default interest rate for the year is five percentage points above the current base interest rate of the European Central Bank.

## **5. Certification of maintenance/Judicial process:**

If the transferred claim for maintenance must be asserted by force, this is inconvenient for all concerned. Therefore, if you decide to regularly pay maintenance, I would request that you contact me as soon as possible. If the claim for maintenance has not yet been recognised, you can speak to me regarding free certification of the children's claim to maintenance. With this official certificate, in which you undertake to pay child maintenance in an enforceable form, creates an executory instrument. This allows for the avoidance of discrepancies between the

parties involved with regards to maintenance and of a judicial process. Certification by the youth welfare office is free of charge.

**6. Additional information:**

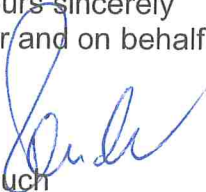
If you have further questions regarding maintenance for your children, you can contact the office of the youth welfare.

- **During office hours ....**

**or**

- **After making an appointment in advance by telephone.**

Yours sincerely  
For and on behalf of



Rauch