



Die Insolvenz in der Insolvenz: Masseunzulänglichkeiten (German Edition)

Sarah Vogel

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Praktikumsbericht / -arbeit aus dem Jahr 2009 im Fachbereich Jura - Sonstiges, Note: 2,3, Fachhochschule Schmalkalden, Sprache: Deutsch, Abstract: Durch die Verabschiedung der Insolvenzordnung am 1. Januar 1999 traten auch Regelungen für die eventuelle Masseunzulänglichkeit in Kraft. Mit der früheren Konkursordnung sahen viele Insolvenzverwalter erhebliche Schwierigkeiten im Fall des „Konkurs im Konkurs“.

Das Thema der massearmen Verfahren ist ein viel umstrittenes. Durch die Einführung der Restschuldbefreiung sowie der Verfahrenskostenstundung werden unzählig viele Verfahren mit nicht ausreichender Insolvenzmasse eröffnet. In vielen Fällen kommt es dann folglich zur Anzeige der Masseunzulänglichkeit. Die §§ 208, 209 und 210 InsO sollen die Anzeige, Abwicklung sowie die Einstellung eines masseunzulänglichen Verfahrens regeln. Jedoch sind diese Vorgehensweisen sehr komplex. Grund dessen werde ich in meiner Praxisarbeit auf verschiedene Punkte der Masseunzulänglichkeit eingehen und diese in den verschiedenen Schritten, in Bezug auf die wichtigsten Punkte erklären sowie versuchen, einen Eindruck in die Problematik der Masseunzulänglichkeit zu geben.

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