



„Chancen-Aufenthaltsrecht“ – Checklist for the transition to SGB II

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If you are in possession of a tolerated stay ("Duldung"), you can apply for a so-called **Opportunity Residence Act ("Chancen-Aufenthaltsrecht")** at your responsible immigration office.

The requirements are:

- As of October 31, 2022, you have lived in Germany for at least **five years** without interruption with a tolerated stay permit ("Duldung"), temporary residence permit ("Aufenthaltsgestattung") or with a residence permit ("Aufenthaltsurlaubnis");
- You commit to the **free and democratic order of the Federal Republic of Germany**;
- You are **not** convicted of an intentional **criminal offense** committed in Germany;
- You have not intentionally made repeated false statements or deceived others about your **identity** or nationality and thereby prevented your deportation.

The Opportunity Residence Act ("Chancen-Aufenthaltsrecht") is issued for 18 months and cannot be extended. If you do not meet the requirements for a subsequent permanent right of residence in accordance with § 25a or § 25b of the Residence Act by the end of the 18-month period of validity, the right of Opportunity Residence Act ("Chancen-Aufenthaltsrecht") will expire by operation of law, with the result that you will revert to the status of tolerated stay permit ("Duldung"), and will again be entitled to benefits under the Asylum Seekers Benefits Act.

Holders of a Opportunity Residence Act ("Chancen-Aufenthaltsrecht") are entitled to **benefits under SGB II** (Bürgergeld) and receive an **employment permit**. The **local job center will assist** you in securing a livelihood and taking up employment. The asylum seeker benefits authorities stop payment in the month in which the residence title was granted. Payment is made until the end of the month. From this point on, there is an entitlement to the citizen benefit ("Bürgergeld"). The application for the citizen benefit ("Bürgergeld") must be made independently at the local job center. This can also be done in writing or by telephone. Be sure to submit your application in time, at the latest as soon as the title is issued. This is the only way to avoid gaps in your benefits.

Prior to submitting an application, the following things should already be done or applied for.

[Choice of health insurance / pension insurance number](#) [\("Rentenversicherungsnummer"\)](#)

Please select a health insurance provider now, which is effective from the beginning of the benefit payment. You must submit a copy of your membership application to the job center. You will also need a pension insurance number ("Rentenversicherungsnummer") from your health insurance provider. This number will be requested by the health insurance company and sent to you.

More information:

<https://www.bundesgesundheitsministerium.de/themen/krankenversicherung/online-ratgeber-krankenversicherung/krankenversicherung.html>

Tax identification number ("Steuerliche Identifikationsnummer")

The tax identification number ("Steuerliche Identifikationsnummer" - Steuer-ID) is required to apply for SGB II benefits and child benefits. It is only assigned once for each person. This is partly done automatically when registering in the respective city or community. If you do not yet have a tax ID ("Steuer-ID"), please contact your registration office ("Einwohnermeldeamt", "Bürgerbüro" or similar).

More information:

https://www.bzst.de/SharedDocs/Kurzmeldungen/DE/2022_Kurzmeldungen/20220502_hinweis_gefluechtete_ukraine.html

Bankkonto

The job centers strictly pay benefits without cash. A German bank account is urgently required for further steps - such as renting an apartment or taking up employment. Therefore, please open a bank account. The local banks have offers available. Fees may be charged for the account.

More information:

<https://handbookgermany.de/de/bank-account>
<https://handbookgermany.de/de/jobcenter>

Child benefit ("Kindergeld")

If you have children and they also live with you in Germany, you can apply for child benefits ("Kindergeld"). In this context, the residence title of the child is crucial. Therefore, you should apply for child benefits as soon as possible. Please take a copy of the application for your records. This is required for your job center.

Application and further information:

<https://www.arbeitsagentur.de/familie-und-kinder/infos-rund-um-kindergeld/kindergeld-ausland>
<https://www.arbeitsagentur.de/familie-und-kinder/downloads-familie-und-kinder>

Other benefits

If you receive income from employment, you may also be eligible for other benefits that may have priority over the citizen benefit ("Bürgergeld").

Housing benefit ("Wohngeld") and **additional child benefit** ("Kinderzuschlag") are usually easier to apply for than unemployment benefit II/citizen benefit ("Arbeitslosengeld II/ Bürgergeld"). These benefits are intended to avoid "going to the Job Center" in order to relieve the burden on all parties involved. You should therefore also obtain information from the family benefits office ("Familienkasse") or the local housing benefits office ("Wohngeldstelle") or in advance from suitable Internet sites.

More information:

<https://www.arbeitsagentur.de/familie-und-kinder/kinderzuschlag-verstehen/kiz-lotse>

www.Kinderzuschlag.org

www.wohngeld.org