

Affidavit of Successor

The "Affidavit of Successor" may be used if the decedent's estate was not probated and no personal representative has been appointed by the courts. Living heirs have certain rights according to Washington State laws of Descent and Distribution. One heir may claim and distribute to other heirs with their written approval. Please note this affidavit is only to be used for personal property. The transfer of real estate or real property is not allowed.

The undersigned, being first duly sworn, on oath deposes and says:

1. That the name and address of the undersigned successor is as follows:

- a. Decedent Name: _____
Successor Name: _____
- b. Address: _____
- c. City: _____ State: _____ Zip: _____

2. The undersigned claimant is a "successor" as defined in Revised Code of Washington (RCW) 11.62.005.
(One box MUST be checked or the form will be rejected)

- Under the terms and provisions of the decedent's last will and testament or
- Under the laws of intestate succession and/or
- As the surviving spouse or domestic partner entitled to property under the community property laws.

3. The undersigned does not claim to be a successor solely by reason of being a creditor of the decedent or of the decedent's estate.

4. The decedent was, at the time of their death, a resident of the state of Washington.

5. The value of the entire estate of the decedent subject to probate, wherever located, (not including any surviving spouse's community property interest in any assets which are subject to probate in the decedent's estate), less liens and encumbrances, does not exceed \$100,000.

6. Forty days have elapsed since the death of the decedent.

7. No application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.

8. All debts of the decedent including funeral and burial expenses have been paid or provided for.

9. The undersigned successor claims the following personal property, which property is subject to probate:

<i>Description of Property</i>	<i>Amount</i>

10. The undersigned successor has given written notice, either by personal service or by mail, identifying his or her claim, and describing the property claimed, to all other successors of the decedent, and that at least ten days have elapsed since the service or mail of such notice.

11. The undersigned successor is: **(One box MUST be checked and the back of this form (page 2) must be completed or the form will be rejected)**

- Personally entitled to full payment or delivery of the property described above as the sole heir or,
- Notarized written authority and copy of ID from all heirs is included authorizing the claimant to receive full payment or,
- An heir entitled to a portion of the property described above and claiming only that portion.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Claimant Signature

Date

Subscribed and sworn (or affirmed) to before me this _____ day of _____, _____.

Notary Public (print name)

Notary Public (signature)

Residing at

Commission Expires

Deceased Name: _____

What is the relationship to the deceased:

- Spouse (date of marriage _____) Parent Niece/Nephew
 Child Granddaughter/son Other _____

Did the deceased leave a will?

- Yes
 No

1. If the decedent left a will, was it probated?

- Yes - Do not use this form, send the following items:
1. Copy of the probated will
2. Addresses for all heirs listed in the will
 No - Complete this form and send a copy of the will.

2. Was the deceased married when they passed away?

- Yes, spouse's name _____
Are they living?
 Yes
 No - If no, provide date of death _____
 No

3. How many children did the deceased have? List the names of the children (if deceased, include date of death)

4. Are the parents of the deceased living?

- Yes - If yes, provide their names

No

5. How many brothers and sisters did the deceased have? List their full names (if deceased, include date of death)

If you are claiming as a remote relative, you must provide a complete family tree showing your relationship to the deceased. The family tree should include names and dates of death for all relatives of the deceased.