

SMALL ESTATE AFFIDAVIT

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**For transfer of PERSONAL
property when a person has died**

(Instructions and Forms)

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SMALL ESTATE AFFIDAVIT OF TRANSFER

This packet contains court forms and instructions to file a small estate affidavit of transfer. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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SMALL ESTATE AFFIDAVIT(S) FOR TRANSFER

(A.R.S. § 14-3971)

FOR TRANSFER OF PROPERTY WHEN PERSON HAS DIED

You may use the forms and instructions in this packet if . . .

- ✓ **The value of all of the *personal property*** (cash, bank accounts, stocks and bonds, cars, jewelry, money owed to the person who died, etc.) in the estate of the person who died (the “deceased”), wherever that property is located, less liens and encumbrances, **does not exceed \$75,000**, and **at least 30 days have passed since the death, and/or**
- ✓ **You are the surviving spouse, and you want to collect up to \$5000 in wages owed to the deceased, and/or**

Procedures: What to do after you have completed the affidavit:

1. To collect personal property: Take the “Affidavit for Collection of All Personal Property” to the person who has the personal property (cash, bank accounts, stocks and bonds, cars, jewelry, etc.) of the person who died. If you are claiming title to a motor vehicle, the motor vehicle division will transfer title to you upon payment of any required fees.
You may also present the Affidavit to collect a debt owed to the person who died. If you are the surviving spouse, you may *also* use the Affidavit to collect wages owed to the decedent, of up to \$5000.
It is not necessary to file any papers or pay any fees to the court to use the Affidavit to Collect Personal Property.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

AFFIDAVIT FOR COLLECTION OF ALL PERSONAL PROPERTY

STATE OF ARIZONA)
YUMA COUNTY)

By signing this affidavit, I swear or affirm under penalty of perjury that its contents are true and correct.

1. INFORMATION ABOUT THE DECEASED (THE PERSON WHO DIED):

Name of person who died: _____

Date of death: _____

Place of death: _____

2. 30-DAY REQUIREMENT: More than thirty (30) days have gone by since the person died.

3. RELATIONSHIP: My relationship to the person who died is: (explain) _____

4. VALUE OF PERSONAL PROPERTY. The value of all the personal property in the deceased person's estate, wherever located, minus the amount of liens and encumbrances on the property, is not greater than \$75,000.00.

5. PERSONAL REPRESENTATIVE. To the best of my knowledge, no one has filed an Application or Petition for Appointment of a Personal Representative and no Application or Petition has been granted in any state OR if an application has been granted the personal representative has been discharged or more than one year has elapsed since a closing statement has been filed and the amount does not exceed \$75,000.00.

6. ENTITLEMENT. I am the claiming successor to the personal property and I am entitled to payment or delivery of the property because I am. (Check all boxes that apply.)

- I am named in the Will of the person who died, a copy of which is attached to this Affidavit.
- The deceased had no Will, but I am entitled to the property under law because (check ONE)
 - I am the spouse of the person who died;
 - I am a child of the person who died, and there is no surviving spouse, or there is a surviving spouse but he or she is not my parent and the deceased had separate or community property;
 - I am the parent of the person who died, and there is no surviving spouse or child;
 - I am a brother or sister of the person who died, and there is no surviving spouse, child or parent.
 - The person died without a will and I am the sole heir.
- The person died without a will and the people with equal or greater right than I have to the property have all assigned their entire interests in the estate to me, which is proven by the copy of the documents they signed to this effect that I am attaching to this affidavit.
- The person died and left a valid Will and the people with equal or greater right than I have to the property have all assigned their entire interests in the estate to me, which is proven by the copy of the documents they signed to this effect that I am attaching to this affidavit.

7. DESCRIPTION OF PROPERTY. The person who died owned the following personal property. (List all property. Attach extra pages if necessary.)

Description	Value	Location, or Who Has Property Now
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

TOTAL VALUE: \$ _____

8. MONEY OWED: The person who died was entitled to collect on the following debts from persons located in Arizona. (List all. Attach extra pages if necessary.)

Description	Amount owed	Name of Who Owes the Debt
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

TOTAL AMOUNT OWED: \$ _____

9. This affidavit is made under Arizona Law, Sec. 14-3971(B), Arizona Revised Statutes, for the purpose of making claim to personal property of the person who died.

OATH OR AFFIRMATION: The contents of this document are true and correct under penalty of perjury.

Signature of Person Making Affidavit

Date

Printed Name

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Notary Public