

**IN THE SUPERIOR COURT OF WASHINGTON
FOR THE COUNTY OF _____**

In Re The Estate Of:

(Printed Name)

Deceased.

Case No. _____

SMALL ESTATE AFFIDAVIT (RCW 11.62.010)

*Title to Real Estate or Real Property cannot be changed
by using this form.*

I am _____ and I swear and declare as follows:
Printed name of Decedent's Claiming Successor

1. **Claiming Successor.** I am a "successor" of Decedent as defined in RCW 11.62.005.
2. **My Name & Address.** My name and address are as shown below.
3. **Decedent's Death Certificate.** A copy of Decedent's **Death Certificate is attached.**
4. **Forty-Days Since Death.** Forty (40) or more days have elapsed since Decedent's death.
5. **Washington Resident.** Decedent was a resident of Washington at his/her death.
6. **No Personal Representative.** No application or petition for the appointment of a Personal Representative is pending or has been granted in any jurisdiction.
7. **Decedent's Net Probate Estate Does Not Exceed \$100,000.** The value of Decedent's entire estate subject to probate, not including any surviving spouse(s) or surviving domestic partner's community property interest in any assets which are subject to probate in the decedent's estate, wherever located, less liens and encumbrances, does not exceed one-hundred thousand dollars (\$100,000).
8. **Decedent's Debts.** All of Decedent's debts, including funeral and burial expenses, have been paid or provided for.
9. **Other Claiming Successors.**
 Other Claiming Successors. There are other Claiming Successors. I have given all other Successors of the decedent written notice, either by: personal service or mail. The notice identified my claim(s) and described the personal property claimed. At least ten (10) days have elapsed since the service or mailing of said notice.

--- OR ---

 No Others. I am the only Claiming Successor; there are no others.

10. **Entitlement To Property.**

Sole Entitlement. I am personally entitled to full payment or delivery of the personal property claimed.

--- OR ---

Entitlement on Behalf of All Other Successors. I am personally entitled to full payment or delivery thereof, on behalf and with the written authority of all other Successors who have an interest therein. **A copy of said authority is attached to this Small Estate Affidavit.**

11. **Personal Property Claimed, Portion(s) & Statement.** A description of the personal property and the portion thereof claimed is as follows:

Property:

Portion Claimed:

My statement that the above personal property is subject to probate (*Required by RCW 11.62.010 (2)(g)*):

12. **Title to Real Estate or Real Property.** Title to Real Estate or Real Property cannot be changed by this form.

I swear under penalty of perjury that the above affidavit is true.

As the claimant (Claiming Successor) you are responsible for understanding the small estate laws in the state where the deceased was a resident. You are responsible for the property listed on this Small Estate Affidavit if another legitimate heir comes forward for distribution.

The undersigned claimant bears responsibility for following the laws of the decedent's state of residence and agrees to indemnify and hold harmless the State of Washington and its entities, against any liability arising from the delivery of the property to the undersigned claimant.

I further understand that upon "Filing" this documentation with the County Clerk's Office, I am to forward a completed copy of it (and any attachments) and I am to include the Decedent's Social Security Number- to the Washington Department of Social and Health Services – Office Of Financial Recovery. RCW 11.62.010(5)

Signature

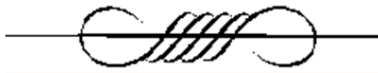
Date

Claiming Successor Name & Address:

Printed name (of Decedent's Claiming Successor)

(PO Box / Street)

(City, State, ZIP)



STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

SUBSCRIBED and Sworn (or Affirmed) to by: _____ ,
Printed name of Decedent's Claiming Successor

before me this _____ day of _____, 20_____.
 (day) (month) (year)

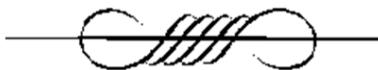
Notary Signature

Notary Printed Name

NOTARY PUBLIC in and for the State of Washington

Residing at: _____

My appointment/commission expires on: _____



In Re The Estate Of:

(Printed Name)

Deceased.

**AFFIDAVIT ON BEHALF OF
ADDITIONAL / OTHER SUCCESSORS**

*(Use as an attachment to the 'Small Estate
Affidavit' – only)*

I am _____ and I swear and declare as follows:
(Printed name of 'Additional / Other Successor')

1. **Name & Address.** My name and address are shown below.
2. **Receipt of Small Estate Affidavit.** I have received a copy of the Small Estate Affidavit dated _____, in which the Claimant: _____
(date) *(Printed name of person listed on the Small Estate Affidavit as "Claiming Successor")*
declares that he/she is a Claiming Successor of the Decedent (Deceased) listed above.
3. **Claiming Successor.** I am also a "successor" of Decedent as defined in RCW 11.62.005.
4. **Authorization.** I authorize the above named Claiming Successor to receive full payment or delivery of the personal property claimed on my behalf.
5. **Accounting.** I am providing this written authorization to the Claimant in consideration of his/her promise to me that he/she will account to me for all payments or deliveries of property received under his/her Small Estate Affidavit within five (5) business days of its receipt. This paragraph concerns the rights and liabilities between the named Claimant and me only. Any person or entity holding the personal property of the Decedent is indemnified and is held harmless, against any liability arising from the delivery of the personal property to the Claimant listed in paragraph 2 above.
6. **Title to Real Property or Real Estate.** Title to Real Property or Real Estate cannot be changed by this form.
7. **Receipt of RCW 11.62.005.** I have received and reviewed a copy of RCW 11.62.005.
8. Signed at: _____ on _____.
(City and State) *(Date)*

Declaration under Penalty of Perjury

I declare under penalty of perjury under the laws of the State of Washington that the following is true and correct to the best of my knowledge:

X _____
Signature (of 'Additional / Other Claiming Successor' of Decedent)

Printed name (of 'Addition / Other Claiming Successor')

(PO Box / Street)

(City, State, ZIP)

RCW 11.62.005 Definitions.

As used in this chapter, the following terms shall have the meanings indicated.

(1) "Personal property" shall include any tangible personal property, any instrument evidencing a debt, obligation, stock, chose in action, license or ownership, any debt or any other intangible property.

(2)(a) "Successor" and "successors" shall mean (subject to subsection (2)(b) of this section):

(i) That person or those persons who are entitled to the claimed property pursuant to the terms and provisions of the last will and testament of the decedent or by virtue of the laws of intestate succession contained in this title; and/or

(ii) The surviving spouse or surviving domestic partner of the decedent to the extent that the surviving spouse or surviving domestic partner is entitled to the property claimed as his or her undivided one-half interest in the community property of said spouse or said domestic partner and the decedent; and/or

(iii) The department of social and health services, to the extent of funds expended or paid, in the case of claims provided under RCW 43.20B.080; and/or

(iv) This state, in the case of escheat property.

(b) Any person claiming to be a successor solely by reason of being a creditor of the decedent or of the decedent's estate, except for the state as set forth in (a)(iii) and (iv) of this subsection, shall be excluded from the definition of "successor".

(3) "Person" shall mean any individual or organization, specifically including but not limited to a bank, credit union, brokerage firm or stock transfer agent, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, or any other legal or commercial entity.