

Form to Claim Property on Behalf of Another

I, _____ (non-claiming successor's full name) hereby
authorize _____ (claiming successor's full name) to file an
affidavit and claim on my behalf for the following property:

By authorizing this claim, I am not releasing my right to the property.

Signed on _____ (date).

(Signature of Nonclaiming Successor)

Notice to Other Successors

I hereby notify you pursuant to RCW 11.62.010 that I am claiming the following property:

I believe I am entitled to this property because

Or

I believe the following people are entitled to this property because

I am claiming it for them and will divide it when I get it.

I will be mailing an affidavit to claim this property 10 days after I mail or deliver this letter to you.

Mailed or Delivered on _____ (date).

(Signature & address of claiming successor)

Address

City, State & Zip

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.

RCW 11.62.010

Disposition of personal property, debts by affidavit, proof of death—Contents of affidavit—Procedure—Securities.

(1) At any time after forty days from the date of a decedent's death, any person who is indebted to or who has possession of any personal property belonging to the decedent or to the decedent and his or her surviving spouse or surviving domestic partner as a community, which debt or personal property is an asset which is subject to probate, shall pay such indebtedness or deliver such personal property, or so much of either as is claimed, to a person claiming to be a successor of the decedent upon receipt of proof of death and of an affidavit made by said person which meets the requirements of subsection (2) of this section.

(2) An affidavit which is to be made pursuant to this section shall state:

(a) The claiming successor's name and address, and that the claiming successor is a "successor" as defined in RCW 11.62.005;

(b) That the decedent was a resident of the state of Washington on the date of his or her death;

(c) That the value of the decedent's entire estate subject to probate, not including the 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;

(d) That forty days have elapsed since the death of the decedent;

(e) That no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction;

(f) That all debts of the decedent including funeral and burial expenses have been paid or provided for;

(g) A description of the personal property and the portion thereof claimed, together with a statement that such personal property is subject to probate;

(h) That the claiming 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 mailing of such notice; and

(i) That the claiming successor is either personally entitled to full payment or delivery of the property claimed or is entitled to full payment or delivery thereof on the behalf and with the written authority of all other successors who have an interest therein.

(3) A transfer agent of any security shall change the registered ownership of the security claimed from the decedent to the person claiming to be the successor with respect to such security upon the presentation of proof of death and of an affidavit made by such person which meets the requirements of subsection (2) of this section. Any governmental agency required to issue certificates of ownership or of license registration to personal property shall issue a new certificate of ownership or of license registration to a person claiming to be a successor of the decedent upon receipt of proof of death and of an affidavit made by such person which meets the requirements of subsection (2) of this section.

(4) No release from any Washington state or local taxing authority may be required before any assets or debts are paid or delivered to a successor of a decedent as required under this section.

(5) A copy of the affidavit, including the decedent's social security number, shall be mailed to the state of Washington, department of social and health services, office of financial recovery.

[2008 c 6 § 923; 2006 c 360 § 16; 1995 1st sp.s. c 18 § 60; 1993 c 291 § 1.

Prior: 1988 c 64 § 25; 1988 c 29 § 2; 1987 c 157 § 1; 1977 ex.s. c 234 § 11; 1974 ex.s. c 117 § 4.]