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Small estate affidavit florida form

The Florida Small Estate Affidavit, also called the "Disposition of Personal Property Without Administration" form, is a contract used for permitting the rightful heir to a deceased individual (the "decedent") with the legal right to collect their assets, so long the total value of their belongings does not exceed \$75,000. The term "Without Administration" refers to the fact that the form provides a lawful avenue to file an estate claim without formal administration. Instead, it allows for estate proceedings to be initiated by a quicker and less expensive type of probate proceeding permitted by the state—summary administration. For the affidavit to be lawful, it must be filed with the county's court in which the deceased lived. The court will then issue a granting disposition so long it was filed correctly.Laws: Chapter 735 (§§ 735.201 – 735.302)Maximum Estate Value: \$75,000Required Conditions: Initiating a summary proceeding via the affidavit provided above is permitted by § 735.201 so long as two (2) provisions are met:If a will was left by the deceased, it does not necessitate direct administration as governed by § 733, andThe total estate is not worth more than \$75,000 [or] It has been more than two (2) years since the deceased passed away.For a Small Estate Affidavit (a.k.a. the "Disposition of Personal Property Without Administration" form) to be duly accepted in the state of Florida, it is stated on the form that the following documents must be completed and filed:The Small Estate Affidavit, of which must be notarized.The certified death certificate of the deceased.If there was a will and it has not been already filed, the original will must be filed with the verified statement.A copy of the paid funeral bill.A copy of the paperwork showing the deceased's assets.A copy of the last sixty (60) days of medical expenses with receipt(s).Consent(s) of any additional heirs with address(es) and notarized signature(s).Statement Regarding Creditors.An affidavit stating that the deceased was never married and had no children may also be required. SAVE PDF WORD EXPORT GOOGLE DRIVE DROPBOX EMAIL PDF WORD The Florida small estate affidavit, or 'disposition of personal property without administration', is used in the event a decedent in Florida passes away with \$75,000 or less in assets. It provides a less complicated way for the heirs to settle the estate when assets are limited and obtain court consent to have the assets distributed to the heirs. The document must be filed with the court along with a certified death certificate, the original will, if any, copy of the paid funeral bill, copy of asset paperwork, copy of last 60 days of medical expenses, consents of heirs, if applicable and the filing fee. Maximum (§ 735.201(2)) – \$75,000 Laws – Chapter 735 (Probate Code: Small Estates) Step 1 – At the top, enter in the name of the county in which decedent resided at the time of death and the name of the deceased. Step 2 – In Section 1, write in your name as the petitioner, with your address, social security number and relationship to the person who died. In addition, list the name of the person who dies, the location of death, the date of death and the last known address, age and social security number. Fill in the information regarding the will as directed. Step 3 – In Section 2, write in the names, addresses and relationships to decedent of the decedent's heirs. Step 4 – In Section 3, enter in the personal property and value as directed. Then enter funeral expenses, medical expenses and other debts as directed. Step 5 – Enter in the name, property and value of assets to be distributed to heirs. If there are any other assets or debts, list them. Step 6 – Sign in front of a notary or deputy clerk and File with the local circuit court. In the United States, including Florida, an individual's death is followed by signing and submitting various documents. One of these documents is the Florida small estate affidavit (SEA) form. Relatives and other people considered heirs use the document to claim the deceased's property without going to the courts. The small estate affidavit becomes especially handy if the decedent did not leave a will. You will not find any unified form of such an affidavit in the US because of the rules for creating this form change from state to state. Typically, when making the document, you will have to include the following: Personal information of the decedent Personal details of the successor (or successors) Description of subject estate And other details. Usually, the SEA form also reveals the decedent's debts. The deceased person's estate covers the debts in many cases. Create a free high quality Florida Small Estate Affidavit online now! Select a State Alabama Alaska Arizona Arkansas California Colorado Connecticut Delaware Florida Georgia Hawaii Idaho Illinois Indiana Iowa Kansas Kentucky Louisiana Maine Maryland Massachusetts Michigan Minnesota Mississippi Missouri Montana Nebraska Nevada New Hampshire New Jersey New Mexico New York North Carolina North Dakota Ohio Oklahoma Oregon Pennsylvania Rhode Island South Carolina South Dakota Tennessee Texas Utah Vermont Virginia West Virginia Wisconsin Wyoming Build Your Document Answer a few simple questions to make your document in minutes Save and Print Save progress and finish on any device, download and print anytime Sign and Use Your valid, lawyer-approved document is ready Create a free high quality Florida Small Estate Affidavit online now! Select a State Alabama Alaska Arizona Arkansas California Colorado Connecticut Delaware Florida Georgia Hawaii Idaho Illinois Indiana Iowa Kansas Kentucky Louisiana Maine Maryland Massachusetts Michigan Minnesota Mississippi Missouri Montana Nebraska Nevada New Hampshire New Jersey New Mexico New York North Carolina North Dakota Ohio Oklahoma Oregon Pennsylvania Rhode Island South Carolina South Dakota Tennessee Texas Utah Vermont Virginia West Virginia Wisconsin Wyoming Table of Contents The Florida SEA form is officially called the "Disposition of Personal Property without Administration" form. The laws tied to this form and the whole process of filling it out are incorporated in Chapter 735 of the Florida Statutes that is called "Probate Code: Small Estates." To claim a property item using this document, its value should not be more than 75,000 US dollars, as stated in section 735.201. of the Florida Statutes. The Florida SEA form requires either the signature of the deputy clerk or a public notary acknowledgment. Filling Out the Florida Small Estate Affidavit Form Below are instructions on how to file a small estate affidavit form in Florida successfully. Download a SEA Form Template Ensure that you have the right template of the Florida SEA form and download it. Our form-building software will help you obtain the needed file. You should know that people complete such a form for vehicles as well. In our case, we review a general SEA form, not the one for vehicles. Read and Understand the Information Therein Ensure you read and understand the vital information first. If something is unclear, consult an expert. On top of the SEA form, write the name of the county where you are signing and submitting the papers. Add the Petitioner's Details You (as a person who is signing, or the petitioner) should add your name and address along with the Social Security Number (SSN). Write the Name of the Decedent After writing your details, add the information about the dead person (or decedent). Include their name, the type of relationship between you two, the date when the person passed away, the address, SSN, and age. State if the decedent left a will. Write the Successors' Details Enter details of all successors who aspire to inherit the estate. The information should include names, addresses, age, and their relation to the decedent. Add a description of the property and its value. Also, list the debts and the expenses tied to the funeral and medical care. For those expenses, you will have to provide receipts. Once you have given all details about estate and debts, sign the form. Add your name, address, and date. Ask a Notary or a Deputy Clerk to Sign You should notarize a SEA form in Florida. Therefore, after signing it, ask a notary to sign it as well. A deputy clerk may sign instead of a notary. Published: Jan 10, 2021 Both affidavits of heirship and small estate affidavits are administered under chapter 733.203 and following, as the same document. If an estate is uncomplicated and values less than \$75,000, the successors may petition for an affidavit to avoid probate court. They must do so within 2 years of the decedent's passing, however, or the estate will either go through probate or become null. How to Write Step 1 – Download in Adobe PDF or Microsoft Word (.doc). Step 2 – Enter the following into the form: Header – Enter Superior Court (See List) Name of Decedent Date of Birth Case Number Check the three (3) boxes depending on your situation Date and Sign Verification – On the last page you will be required to verify that everything you have stated is true and accurate Step 3 – File the form with the proper clerk or courthouse. Unlike most other states, Florida offers a very simplified affidavit system – rather than requiring separate affidavits for heirship ("real" or personal property) and small estate affidavits (for low-value real estate), the affidavit procedure has been compiled together for any small estate. All property is exempt from creditors' claims except the expenses needed to cover the funeral, and the expenses involved in the person's illness from the last two months. Affidavit of Heirship: In Florida, affidavits of heirship and small estate are the same document. Successors must petition within 2 years of the decedent's passing to claim any property, from bank accounts to land, as long as the total values \$75,000 or less. Small Estate Affidavit: Both affidavits of heirship and small estate affidavits work as the same document in Florida. If an estate is uncomplicated and values less than \$75,000, the successors may petition for an affidavit to avoid the time and expense of probate court. If real property in Florida values over \$75,000, then the estate must go to probate court. However, if the real estate and personal property value \$75,000 or less, then successors may file for an affidavit of heirship within 2 years of the decedent's death. This allows the family or other... Both affidavits of heirship and small estate affidavits are administered under chapter 733.203 and following, as the same document. If an estate is uncomplicated and values less than \$75,000, the successors may petition for an affidavit to avoid probate court. They must do so within 2 years of the decedent's...

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