



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY

NOTICE TO THE HOLDER OF DECEDENT'S PROPERTY:

1. You are **required** to transfer the described property to the affiant/declarant. You must pay the claimant's attorney fees if a lawsuit is necessary because you refuse. (Prob. Code, § 13105).
2. You are **discharged from all liability** for the money or property when you transfer it based on good faith reliance on this affidavit and you have **no duty to inquire** into the truth of the statements in it. (Prob. Code, § 13106).

I/We declare:

- 1) _____, decedent died on _____ in the County of _____, State of California.
- 2) At least 40 days have elapsed since the death of the decedent, as shown in the certified copy of the decedent's death certificate attached to this affidavit.
- 3) No proceeding is now being or has been conducted in California for administration of the decedent's estate.
 The decedent's personal representative has consented in writing to the payment, transfer, or delivery to the affiant or declarant of the property described below.
- 4) The current gross fair market value of the decedent's real and personal property in California, excluding the property described in Probate Code section 13050 and any property included in a petition filed under Probate Code section 13151, does not exceed:
 - \$166,250 (death before April 1, 2022).
 - \$184,500 (death on or after April 1, 2022 through March 31, 2025) Maximum Values for Small Estate Set-Aside & Disposition of Estate Without Administration (JC Form #DE-300) is attached.
 - \$208,850 (death on or after April 1, 2025) Maximum Values for Small Estate Set-Aside & Disposition of Estate Without Administration (JC Form #DE-300) is attached.
- 5) The property of the decedent that is to be paid, transferred, or delivered to the declarant is as follows **(list the property, including account numbers for financial/retirement accounts, and VIN and license plate numbers for automobiles):**

- 6) I/We am the successor(s) of the decedent as defined in Probate Code section 13006 to the decedent's interest in the described property.
 I/We am authorized under Probate Code section 13051 to act on behalf of the successor of the declarant as defined in Probate Code section 13006 with respect to decedent's interest in the described property.
- 7) No other person has a superior right to the interest of the decedent in the described property.
- 8) I/We request that the described property be paid, delivered, or transferred to the declarants.

I/We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this affidavit was executed on:

Date: _____

Type or print name

Signature of Declarant, Successor of Decedent

Date: _____

Type or print name

Signature of Declarant, Successor of Decedent

Depending on the circumstances of the estate and property being collected, some or all of the following attachments may be required.

(Check all that apply and are attached.)

- Certified copy of decedent's death certificate (Prob. Code, § 13101(d)).
- Notary Acknowledgment (Prob. Code, § 13104(e)).
- Maximum Values for Small Estate Set Aside & Disposition of Estate without Administration (JC Form #DE-300) (Prob. Code, § 1301(f)).
- Consent and Letters (JC Form #DE-150) of personal representative of decedent's estate (Prob. Code, § 13101(e)).
- Inventory and Appraisal (JC Form #DE-160) (Prob. Code § 13103).