

AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY

(California Probate Code Sections 13100-13117)

Use only for personal property (bank accounts, securities, money due, tangible personal property). Do not file with the court: give it to the holder of the property with a certified copy of the death certificate. Fill in the dollar limit in effect on the date of death from the Judicial Council's table (for deaths on or after April 1, 2025: \$208,850). Use one affidavit per holder.

The undersigned state(s) as follows:

1. The decedent's name is: _____

2. The date of the decedent's death was _____, and the place of death was _____.

3. "At least 40 days have elapsed since the death of the decedent, as shown in a certified copy of the decedent's death certificate attached to this affidavit or declaration."

4. (Check one.)

☐ "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 in the affidavit or declaration." (Attach a copy of the consent and of the personal representative's letters.)

5. "The current gross fair market value of the decedent's real and personal property in California, excluding the property described in Section 13050 of the California Probate Code and any property included in a petition filed under Section 13151 of the California Probate Code, does not exceed" \$ _____ (the amount in effect on the date of death).

6. The following is a description of the property of the decedent that is to be paid, transferred, or delivered to the affiant or declarant: _____

7. The name of the successor of the decedent (as defined in Section 13006) to the described property is: _____

8. (Check one.)

☐ "The affiant or declarant is the successor of the decedent (as defined in Section 13006 of the California Probate Code) to the decedent's interest in the described property."

☐ "The affiant or declarant is authorized under Section 13051 of the California Probate Code to act on behalf of the successor of the decedent (as defined in Section 13006 of the California Probate Code) with respect to the decedent's interest in the described property."

9. "No other person has a superior right to the interest of the decedent in the described property."

10. "The affiant or declarant requests that the described property be paid, delivered, or transferred to the affiant or declarant."

11. "The affiant or declarant affirms or declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct."

Date: _____ Signature: _____

Printed name: _____ Address: _____

Second affiant (if any): Signature _____ Printed name _____

_____ Date _____

Second affiant address: _____

If more than one person signs, change 'the affiant or declarant' to 'the affiants or declarants' in each statement above: Probate Code 13101(b) requires the statements to be modified as appropriate.

ATTACHMENTS CHECKLIST

- ☐ Certified copy of the decedent's death certificate (13101(d)).
- ☐ For a death on or after April 1, 2022: the Judicial Council's list of adjusted dollar amounts in effect on the date of death (13101(f)).
- ☐ If box 4 (consent) is checked: copy of the personal representative's consent and letters (13101(e)).
- ☐ If the property is a debt secured by a recorded lien on real property: also meet section 13106.5 (13101(c)).

PROOF OF IDENTITY (Probate Code 13104)

Either sign in the presence of the holder and show identification, or have a notary public complete a certificate of acknowledgment (13104(e)). A notary must use California's required certificate wording, which may be attached.

For the holder, first affiant: ☐ personally known ☐ identification shown:

For the holder, second affiant: ☐ personally known ☐ identification shown:

Source: California Probate Code sections 13050, 13100, 13101, 13104 (leginfo.legislature.ca.gov) and the Judicial Council of California's "Maximum Amounts for Determining Eligibility for Summary Succession Procedures", read October 14, 2026. This template is general information, not legal advice. LegalTemplateVault.com is not a law firm.