

**SMALL ESTATE AFFIDAVIT
PC598**

NOTE: CANNOT USE IF REAL PROPERTY IS PART OF THE ESTATE

This form may be used if assets total value is less than \$15,000 (plus cost of living adjustment)- table below:

Date of Death	Amount
1/1/2018	\$23,000
1/1/2014 – 12/31/17	\$22,000
1/1/2012	\$21,000
1/1/2009	\$20,000
1/1/2008	\$19,000
1/1/2006	\$18,000
1/1/2002	\$17,000
1/2/2001	\$16,000

You must determine whether this exception to Probate statute applies to your situation. This form is provided to you by the Court but the Court cannot direct you as to legal advice regarding the form. This form is NOT filed with the court. You must sign this sworn statement in front of a notary and provide it to the person/business that is holding the property or asset you are trying to transfer or liquidate.

700.3983 Collection of personal property by sworn statement.

(1) After 28 days after a decedent's death, a person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action belonging to the decedent shall pay the indebtedness or deliver the tangible personal property or the instrument to a person claiming to be the decedent's successor upon being presented with the decedent's death certificate and a sworn statement made by or on behalf of the successor stating all of the following:

(a) The estate does not include real property and the value of the entire estate, wherever located, net of liens and encumbrances, does not exceed \$15,000.00, adjusted as provided in section 1210.

(b) Twenty-eight days have elapsed since the decedent's death.

(c) An application or petition for the appointment of a personal representative is not pending or has not been granted in any jurisdiction.

(d) The claiming successor is entitled to payment or delivery of the property.

(e) The name and address of each other person that is entitled to a share of the property and the portion to which each is entitled.

(2) A transfer agent of a security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of a sworn statement as provided in subsection (1).

(3) The state court administrative office shall develop and make available a standardized form for use as a sworn statement that can be used for the procedure authorized under subsection (1). The form shall include a notice that a false statement may subject the person swearing to the statement to prosecution for perjury.

**AFFIDAVIT OF DECEDENT'S SUCCESSOR
FOR DELIVERY OF CERTAIN ASSETS OWNED BY DECEDENT**

Estate of _____

1. I am decedent's successor as surviving spouse adult child other heir _____ specify _____
- devisee under the will dated _____ .
- fiduciary or representative of _____ who is an heir or devisee and has a legal incapacity.
Name

2. Decedent died a resident of _____ on _____ .
City, township, or village and county and state Date

More than 28 days have passed since decedent's death.

3. No real property is included in the estate.

4. Decedent's estate, less liens and encumbrances, does not exceed \$15,000 (as adjusted for cost of living as provided in MCL 700.1210).

5. An application/petition for the appointment of a personal representative is not pending or has not been granted in any jurisdiction. A petition for assignment of an estate not exceeding \$15,000 (as adjusted for cost of living) has not been filed with a court.

6. I am entitled to payment or delivery of the following property: _____ .

7. The name and address of each other person entitled to a share of the property and his/her proportion is as follows:

NAME	ADDRESS	RELATIONSHIP	SHARE %

8. A copy of the death certificate is attached.

Signature

Name (type or print)

Address

City, state, zip

Subscribed and sworn to before me on _____ , _____
Date County and state or other jurisdiction where acting

My commission expires: _____ Signature: _____

Notary public, _____
County and state or other jurisdiction where commissioned

NOTICE: A false statement on this affidavit may subject the person swearing to the statement to prosecution for perjury.