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How to Complete an Arizona Affidavit of Succession to Real Property

Affidavit of Succession to Real Property • A.R.S. § 14-3971(E)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. If a person dies owning Arizona real estate worth no more than $300,000 after liens, an heir can transfer it with this affidavit instead of a full probate. The limit increased from $100,000 on September 26, 2025. The affidavit is filed with the probate registrar of the Superior Court, which returns a certified copy that you record with the County Recorder.

1. **Wait six months**
   The affidavit can only be filed six months or more after the death.
2. **Confirm the value**
   Use the county assessor's full cash value, minus mortgages and liens.
3. **Pay final debts first**
   Funeral, last-illness expenses and unsecured debts must be paid.
4. **Swear to it before a notary**
   Then file it with the court with the death certificate, the will (if any) and the filing fee.

Signing requirements: Signed under oath or affirmation before a notary (jurat), then filed with the Superior Court probate registrar.

After It's Signed

- Record the court-certified copy with the County Recorder where the property is located.
- Some counties require their own court form; check with the clerk before filing.

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Have questions about your Affidavit of Succession? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**.

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AFFIDAVIT OF SUCCESSION TO REAL PROPERTY

State of Arizona • A.R.S. § 14-3971(E)

Superior Court of Arizona, in and for the County of

Case number (assigned by the court)

Affiant (successor) full name

Affiant address

Decedent full name

Date of death

Decedent's last address and county of domicile

The affiant, being first duly sworn (or affirmed), states:

1. The decedent died on the date shown above. A certified copy of the death certificate is attached, and a certified copy of the will, if any, is attached.
2. At least six months have elapsed since the death of the decedent.
3. The value of all real property in the decedent's estate located in Arizona, determined as of the date of death and less liens and encumbrances, does not exceed **$300,000** (A.R.S. § 14-3971(E)). The value is based on the full cash value determined for property tax purposes, less the amounts below:

Full cash value ($)

Liens and encumbrances ($)

Net value ($)

4. No application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.
5. The funeral expenses, expenses of last illness and all unsecured debts of the decedent have been paid.
6. The affiant is the successor of the decedent and is entitled to the real property described below, as follows (describe the affiant's relationship and the basis of the claim, and the interest of any other successors):

7. No other person has a right to the interest of the decedent in the described property.
8. No federal estate tax is due on the decedent's estate.
9. The real property is described as follows:

County where property is located

Apn

Property address

Legal description

The affiant understands that false statements made under oath are subject to the penalties for perjury under Arizona law.

X

Affiant signature

Date

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JURAT

STATE OF ARIZONA

COUNTY OF

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 20____, by _____ (name(s) of affiant(s)).

X _____

Signature of Notary Public

Notary Public (printed name)

My commission expires

Commission number

(Notary seal)

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