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How to Revoke Your California Transfer on Death (TOD) Deed

Revocation of Revocable Transfer on Death Deed (California Probate Code Section 5644)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR TOD DEED REVOCATION.

About this form. Use this California statutory form to cancel a Transfer on Death (TOD) deed you signed and recorded earlier. Once recorded, your home will **not** pass to the beneficiary named in the old TOD deed. You can revoke a TOD deed at any time while you are able to understand what you are doing; no one, including your beneficiary, can stop you.

1. **Find the recorded TOD deed**
   You will need the property's legal description and Assessor's Parcel Number. Both are on the recorded TOD deed or the deed you received when you bought the home. Copy the legal description exactly.
2. **Fill in the revocation**
   Enter the parcel number and "When Recorded Mail This Deed To" box at the top, the legal description, and your printed name exactly as it appears on your title documents. Do not add any other information.
3. **Arrange two witnesses — or let us provide them**
   You need two adults who are both present at the same time when you sign. **Don't have witnesses? First Choice can provide two witnesses for an additional fee — just ask when you book.**
4. **Sign in front of the notary and both witnesses**
   Do **not** sign ahead of time. Bring a current government-issued photo ID. We come to your home, hospital, or care facility.
5. **Record it within 60 days**
   Take the notarized revocation to the County Recorder in the county where the home is located. **If it is not recorded within 60 days after notarization, it has no effect,** and the old TOD deed stays in place.
6. **Co-owners revoke separately**
   This form only revokes a TOD deed that **you** made. A co-owner who wants to cancel their own TOD deed must sign and record a separate revocation.

After It's Recorded

- Keep the recorded original with your important papers, and let your former beneficiary know if appropriate.
- Want to name a different beneficiary? Sign a new TOD deed. Recording the revocation first removes any doubt about which deed controls.
- A will cannot revoke a TOD deed. Only a recorded revocation, a new recorded TOD deed, or a recorded sale or transfer can.

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Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in California, Nevada, and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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Recording Requested By:

_____

When Recorded Mail This Deed To

Name: _____

Address: _____

_____

Assessor's Parcel Number: _____

Space Above For Recorder's Use

REVOCATION OF REVOCABLE TRANSFER ON DEATH (TOD) DEED

(California Probate Code Section 5600)

This deed revocation is exempt from documentary transfer tax under Rev. & Tax. Code § 11930. This deed revocation is exempt from preliminary change of ownership report under Rev. & Tax. Code § 480.3.

IMPORTANT NOTICE: THIS FORM MUST BE RECORDED TO BE EFFECTIVE

This revocation form **MUST** be **RECORDED** on or before 60 days after the date it is notarized or it will not be effective. This revocation form only affects a transfer on death deed that **YOU** made. A transfer on death deed made by a co-owner of your property is not affected by this revocation form. A co-owner who wants to revoke a transfer on death deed that they made must complete and **RECORD** a **SEPARATE** revocation form.

PROPERTY DESCRIPTION

Print the legal description of the property affected by this revocation:

REVOCATION

I revoke any TOD deed to transfer the described property that I executed before executing this form.

SIGNATURE AND DATE

Sign and print your name below (your name should exactly match the name shown on your title documents):

Date	Sign your name	Print your name

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WITNESSES

To be valid, this form must be signed by two persons, both present at the same time, who witness your signing of the form or your acknowledgment that it is your form.

Witness #1

_____
Print your name

_____
Sign your name

Witness #2

_____
Print your name

_____
Sign your name

ACKNOWLEDGMENT OF NOTARY

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____
(here insert name and title of the officer)

personally appeared _____

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature _____

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