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How to Complete Your Florida Affidavit of Heirs

Affidavit of Heirship and Family History (Florida)

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

About this form. An **affidavit of heirs** is a sworn statement of a deceased person's family history that identifies who the heirs are. Title companies, banks, and government agencies use it to help clear title or release assets, especially when there was no will or no probate.

1. **Identify the decedent**
   Enter the name, date of death, and last address of the person who died, and attach a certified death certificate.
2. **Describe the family**
   Answer each question about marriages, children (including adopted and deceased children), and whether a will exists. List every heir with relationship and address.
3. **Choose a knowledgeable affiant**
   The affiant should be someone who knew the family well, ideally not an heir who benefits. Title companies often ask for two affidavits from different people.
4. **Sign under oath in front of a notary**
   Bring a current, government-issued photo ID. The notary places you under oath and completes the jurat.

After It's Signed

- Give the affidavit to the title company, bank, or agency that asked for it. If it concerns real estate, it may be recorded with the Clerk of the Circuit Court.
- An affidavit of heirs does not replace probate. Depending on the assets, a court proceeding such as summary administration may still be needed. Ask an attorney if you are unsure.

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Have questions about this document? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**. Main headquarters: 2315 Capitol Avenue, Sacramento, CA 95816.

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This instrument was prepared by and, after recording, return to:

Name

Street address

City, state, ZIP

Space reserved for the Clerk of the Circuit Court

Parcel identification number (property appraiser)

AFFIDAVIT OF HEIRS

(Family History and Heirship)

State of

County of

Before me, the undersigned authority, personally appeared the affiant named below ("Affiant"), who, being first duly sworn, deposes and says:

Name of affiant

Post office address

Affiant's relationship to decedent

How long affiant knew the decedent

1. Affiant knew the following person (the "Decedent") and is familiar with the Decedent's family history:

Name of decedent

Date of death

County and state of death

Decedent's last address

2. Marital history. At death, the Decedent was (check one):

married to:

Name of surviving spouse

widowed. Name of predeceased spouse and date of death:

Name and date of death

Affiant's initials: _____

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divorced and not remarried.

never married.

Other marriages, if any (name of spouse and how ended)

3. Children. The Decedent had the following children, including adopted children and children who died before the Decedent (for a deceased child, list that child's descendants):

Name	Living, or date of death	Address or descendants

4. Will. To the best of Affiant's knowledge (check one):

the Decedent did not leave a will.

the Decedent left a will, and probate (check if applicable) has been opened in the following court and case number:

Court and case number (if any)

5. Heirs. The persons entitled to inherit from the Decedent, and their relationships, are:

6. Real property (if any). The Decedent owned an interest in the real property described below (or in the attached Exhibit A):

Legal description (or write "See Exhibit A attached" and attach it)

7. Affiant has no financial interest in the Decedent's estate, except as stated here:

Affiant's interest, if any (or "None")

8. Affiant makes this affidavit to induce title insurers, buyers, lenders, and others to rely on it, knowing that they will rely on it.

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Under penalties of perjury, Affiant declares that the facts stated in this affidavit are true.

X _____
Signature of affiant

Printed name

JURAT

State of

County of

Sworn to (or affirmed) and subscribed before me by means of

physical presence or

online notarization,

this day of

month

year

by (name of affiant)

Personally Known OR

Produced Identification

Type of identification produced

X _____
Signature of Notary Public

(Notary seal)

Print, type, or stamp commissioned name of Notary Public

Commission number

Commission expires

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