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How to Complete Your Florida Agent's Affidavit for Power of Attorney

Affidavit of Agent (Section 709.2119, Florida Statutes)

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

About this form. Under section 709.2119, Florida Statutes, a bank, title company, or other third party may require the **agent** under a power of attorney to sign a sworn affidavit confirming that the power of attorney is still in effect. This form follows the wording in the statute. It is signed by the agent, not the principal.

1. **Fill in the power of attorney details**
   Enter your name as agent, the principal's name, the date the power of attorney was signed, and the state or country where the principal lives.
2. **Successor agents only (paragraph 5)**
   If you are acting as a successor agent, enter the name of the agent you are replacing. Otherwise write "N/A."
3. **Sign under oath in front of a notary**
   Do not sign ahead of time. The notary will place you under oath and complete the jurat. Bring a current, government-issued photo ID and a copy of the power of attorney.

After It's Signed

- Give the signed affidavit, with a copy of the power of attorney, to the bank, title company, or other party that requested it.
- If the institution has its own affidavit form, it may ask you to use that one instead. We can notarize either.
- Stop acting as agent immediately if you learn that the principal has died, the power of attorney has been revoked, or a court has suspended your authority.

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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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AFFIDAVIT OF AGENT

(Acceptance of and Reliance upon Power of Attorney, Section 709.2119, Florida Statutes)

STATE OF

COUNTY OF

Before me, the undersigned authority, personally appeared the agent named below ("Affiant") by the means specified herein, who swore or affirmed that:

Name of agent (Affiant)

1. Affiant is the agent named in the Power of Attorney executed by the following principal ("Principal") on the following date:

Name of principal

Date of power of attorney

2. This Power of Attorney is currently exercisable by Affiant. The principal is domiciled in:

Name of state, territory, or foreign country

3. To the best of Affiant's knowledge after diligent search and inquiry:

a. The Principal is not deceased;

b. Affiant's authority has not been suspended by initiation of proceedings to determine incapacity or to appoint a guardian or a guardian advocate;

c. Affiant's authority has not been terminated by the filing of an action for dissolution or annulment of Affiant's marriage to the principal, or their legal separation; and

d. There has been no revocation, or partial or complete termination, of the power of attorney or of Affiant's authority.

4. Affiant is acting within the scope of authority granted in the power of attorney.

5. Affiant is the successor to the predecessor agent named below, who has resigned, died, become incapacitated, is no longer qualified to serve, has declined to serve as agent, or is otherwise unable to act, if applicable.

Name of predecessor agent (write "N/A" if not applicable)

6. Affiant agrees not to exercise any powers granted by the Power of Attorney if Affiant attains knowledge that the power of attorney has been revoked, has been partially or completely terminated or suspended, or is no longer valid because of the death or adjudication of incapacity of the Principal.

X

Signature of Affiant (agent)

Printed name of Affiant

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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 person making statement)

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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