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How to Complete Your Georgia Disclaimer of Inheritance

Disclaimer and Renunciation • O.C.G.A. § 53-1-20

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

About this form. A disclaimer lets you **refuse an inheritance or other gift** so that it passes to the next person in line as if you had died first. People disclaim for tax planning, to let property go to their children, or to avoid creditors or benefit issues. **Timing is strict:** generally within nine months of the death or transfer, and before you accept any benefit.

1. **Identify yourself and the source**
   Enter your name, the decedent or transferor, the date of death and how the interest arises.
2. **Describe what you disclaim**
   Check all or part and describe the property. For real estate, include the legal description and county.
3. **Read the statements**
   Do not sign if you have already used or accepted the property. Because the tax and family effects can be significant, consider speaking with an attorney first.
4. **Sign before a notary**
   Bring a current government-issued photo ID.

Signing requirements: Signed by the disclaimant before a notary public and delivered within the legal deadline.

After It's Signed

- Deliver the original to the executor, trustee or holder of the property and keep proof of delivery.
- If the disclaimer involves Georgia real estate, record a copy with the Clerk of Superior Court in that county; for a probate estate, file a copy with the Probate Court.

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

This form is provided as a free convenience. First Choice Mobile Notary & Apostille is not a law firm, and a notary public who is not an attorney cannot give legal advice or help you decide what to write on this form. These instructions are general information only and are not legal advice. If you have questions about your situation, consult a licensed Georgia attorney. © 2026 First Choice Mobile Notary & Apostille. All rights reserved. This form may be filled in and printed for personal use; it may not be copied, altered, or redistributed for commercial purposes.

DISCLAIMER AND RENUNCIATION OF PROPERTY INTEREST

O.C.G.A. § 53-1-20 • 26 U.S.C. § 2518

DISCLAIMANT

Full legal name of person disclaiming

Relationship to decedent

Address

SOURCE OF THE INTEREST

Name of decedent or transferor

Date of death or transfer

Interest arises under (will, trust, intestacy, beneficiary designation, joint account, etc.)

Probate Court county and estate number (if any)

PROPERTY DISCLAIMED

I disclaim and renounce (check one):

- ☐ My entire interest in the property described below.
- ☐ The following fraction, percentage or portion of my interest: _____

Description of the property or interest (for real estate, include the legal description and county)

STATEMENTS

I state that:

(a) This disclaimer is irrevocable and unqualified, and is made under O.C.G.A. § 53-1-20 and, if applicable, Section 2518 of the Internal Revenue Code.

(b) I am delivering this disclaimer within nine months after the later of the date of the transfer creating the interest or the day I turn 21, as required.

(c) I have not accepted the disclaimed interest or any of its benefits, and I do not direct who receives it. The disclaimed interest passes as if I had died before the decedent or transferor, unless the governing instrument provides otherwise.

(d) I will deliver this disclaimer to the personal representative, trustee or other holder of the property and, if required, file it with the Probate Court or record it with the Clerk of Superior Court.

SIGNATURE

Sign only in front of the notary.

X _____

Signature of disclaimant

Date

Printed name

Disclaimant's initials: _____

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NOTARY ACKNOWLEDGMENT

State of Georgia
County of _____

On _____ (date), before me, the undersigned notary public, personally appeared _____ (name of disclaimant), who proved to me on the basis of satisfactory evidence to be the person whose name is signed on this document and who acknowledged that he, she or they signed it voluntarily for its stated purpose.

_____ (Seal)
Signature of notary public

_____
Printed name of notary public

Notary Public, _____ County, Georgia
My commission expires: _____

Notary seal

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