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How to Complete Your Illinois Disclaimer of Interest

Disclaimer of Property Interest (Illinois Probate Act, 755 ILCS 5/2-7)

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

About this form. A disclaimer lets you **refuse** an inheritance, life insurance proceeds, a trust interest, or other property, so it passes to the next person in line instead of you.

1. **Describe what you are refusing (Pages 1–2)**
   Identify the source and describe the property, in whole or in part.
2. **Mind the deadline**
   For federal tax purposes, a disclaimer generally must be made within **nine months** and before you accept any benefit. Speak with an attorney or tax advisor.
3. **Sign before a notary (Page 3)**
   Bring a current, government-issued photo ID. A notarized disclaimer of real estate can be recorded.

After It's Signed

- Deliver the disclaimer to the executor, trustee, or person holding the property, and keep proof of delivery.
- Record the original with the county recorder (or county clerk) where the property is located. if it involves real estate.
- A disclaimer is irrevocable and can affect creditors, Medicaid eligibility, and taxes. Get advice before signing.

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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**.

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DISCLAIMER OF PROPERTY INTEREST

State of Illinois

Above space for Recorder's use only

This instrument was prepared by:

Name

Address

After recording, mail to:

Name

Address

Send subsequent tax bills to:

Name

Address

I,

Name of disclaimant

Address

declare that I disclaim the interest described below, under Section 2-7 of the Illinois Probate Act of 1975 (755 ILCS 5/2-7). Source of the interest:

Name of decedent, settlor, or other source

Date of death or transfer

Disclaimant's initials: _____

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Passing under (will, trust, intestacy, beneficiary designation, joint account, other)

Description of the interest disclaimed (include county, PIN, and legal description for real estate):

Extent (check one):

- I disclaim the **entire** interest described above.
- I disclaim only the following portion or percentage:

Portion or percentage

This disclaimer is irrevocable. I have not accepted the interest disclaimed or any of its benefits. I intend this to be a qualified disclaimer for federal tax purposes to the extent applicable. The disclaimed interest shall pass as provided by Illinois law and the governing instrument, as though I had died before the event that gave me the interest.

This disclaimer is delivered to (name and capacity of the executor, trustee, or other person holding the property):

Name and capacity

Date delivered

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Dated

X

Disclaimant

Printed name

NOTARY ACKNOWLEDGMENT

STATE OF ILLINOIS)
) SS.
COUNTY OF)

This instrument was acknowledged before me on

(date)

by (name of disclaimant)

X

Notary Public

(Notary seal)

Notary's printed name

My commission expires

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