FIRST CHOICE
YOUR TRUSTED SERVICE

First Choice Mobile Notary & Apostille
(866) 828-6856
Book an Appointment Online
www.firstchoicenotary.com

How to Complete a New York Affidavit of Heirship

Affidavit of Heirship — New York (facts of death, family history and heirs at law)

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

About this form. An Affidavit of Heirship is a sworn statement of a deceased person's **family history and legal heirs**. Title companies and county clerks use it to confirm who inherited New York real estate when the owner died, often when there was no will or no probate. It is signed under oath before a notary public.

1 Choose the right person to sign

The affiant should know the family well. Title companies often ask for a **disinterested** affiant (someone who inherits nothing), and some ask for two affidavits. Ask the title company what it requires.

2 Describe the decedent and the estate

Enter the decedent's name, date and place of death and last residence. Attach a certified death certificate. Initial each statement in Section 3 that is true.

3 Give the complete family history

List all marriages and how each ended, every child (including adopted children and children born outside marriage), and any children of a child who died first. If there is no spouse or descendant, list parents and siblings.

4 List the heirs and the property

List each heir's name, relationship, address and age, then describe the property from the recorded deed.

5 Sign under oath before a notary

Do **not** sign ahead of time. You will swear (or affirm) to the notary that the statements are true. Bring a current government-issued photo ID.

After It's Signed

- Give the original to the title company or attorney handling the property, or record it with the County Clerk if requested.
- An affidavit of heirship does not transfer title by itself. The heirs usually sign a deed, and sometimes a Surrogate's Court proceeding is needed.
- Who inherits in New York is set by law (EPTL § 4-1.1). If you are unsure who the heirs are, consult an attorney before signing.

Need a Notary? We Come to You.

Homes • Hospitals • Care Facilities • Offices
Mobile Notary, Witness & Apostille Services

New York-Commissioned Notaries • Serving New York

Call us anytime
(866) 828-6856
Book an Appointment Online
www.firstchoicenotary.com

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

This form is provided as a free convenience. First Choice Mobile Notary & Apostille is not a law firm, and a notary public 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 New York attorney.

© 2026 First Choice Mobile Notary & Apostille. Free for personal use. Do not remove this notice or redistribute without permission.

RECORD AND RETURN TO:

Space above this line reserved
for the County Clerk / City Register

Tax Map Designation —

Section/District | Block | Lot | County / Town

AFFIDAVIT OF HEIRSHIP

New York — Facts of Death, Family History and Heirs at Law

State of New York)
) ss.:
County of)

, being duly sworn, deposes and says:

name of affiant

1. About Me (the Affiant)

I reside at , and I am over 18 years of age.

My relationship to the decedent:

I have known the decedent and the decedent's family for years, and I have personal knowledge of the facts below.

2. The Decedent

Name of decedent:

Also known as (other names used):

Date of death: Place of death:

Last residence (domicile):

A certified copy of the death certificate is attached.

3. Will and Estate

( ) To the best of my knowledge, the decedent died **without a will** (intestate), and no will has been found after diligent search.

( ) The decedent left a will, which has not been offered for probate. (Attach a copy if available.)

( ) No letters testamentary or letters of administration have been issued for the decedent's estate in any court.

( ) All debts, funeral expenses and taxes of the decedent have been paid, and no estate tax is due to the United States or New York State, to the best of my knowledge.

© 2026 First Choice Mobile Notary & Apostille. Free for personal use. Do not remove this notice or redistribute without permission.

© 2026 First Choice Mobile Notary & Apostille • Serving New York • (866) 828-6856 | www.firstchoicenotary.com

4. Marital History

At death, the decedent was (married / widowed / divorced / never married): _____

Name of spouse at death (if any): _____

Prior marriages, and how each ended (death, divorce, annulment): _____

_____

5. Children and Descendants

List every child of the decedent, including children born outside marriage and adopted children. For a child who died before the decedent, list that child's date of death and that child's own children.

6. Parents, Brothers and Sisters

Complete if the decedent left no spouse and no descendants.

7. Heirs at Law

Based on the facts above, the following persons are the decedent's sole heirs at law and distributees:

Full name	Relationship	Address	Age / adult?

© 2026 First Choice Mobile Notary & Apostille. Free for personal use. Do not remove this notice or redistribute without permission.

© 2026 First Choice Mobile Notary & Apostille • Serving New York • (866) 828-6856 | www.firstchoicenotary.com

8. Real Property

The decedent owned the following real property at death:

Property address: _____

City / Town / Village: _____ County: _____

Deed recorded _____ in Liber / Page or CRFN _____

Legal description (or see Schedule A attached):

9. Statement

I make this affidavit to induce a title insurance company, purchaser, lender, the county clerk and others to rely on the facts stated, knowing they will rely on it. I have no interest in the property except as stated above. The statements in this affidavit are true to my own knowledge.

(_____) I am a **disinterested** affiant: I am not an heir and I will not receive any part of the decedent's estate or property.

_____ _____

Affiant signature Printed name

JURAT

Sworn to (or affirmed) and subscribed before me this _____ day of _____, _____.

_____

Signature of Notary Public

Notary Public, State of New York; Qualified in _____ County

Registration No. _____; Commission Expires _____

(Notary stamp)

© 2026 First Choice Mobile Notary & Apostille. Free for personal use. Do not remove this notice or redistribute without permission.

© 2026 First Choice Mobile Notary & Apostille • Serving New York • (866) 828-6856 | www.firstchoicenotary.com