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How to Complete a New York Certification of Trust

Certification of Trust — New York

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

About this form. A Certification of Trust is a short statement, signed by the trustee, that proves the **trust exists and who can act for it**, without showing anyone the private terms of the trust. Banks, brokers and title companies use it to open accounts, retitle assets or close on real estate. New York has no statute setting the form, so each institution may set its own requirements; many will accept this certification, and some may still ask for excerpts of the trust.

1. **Copy the details from the trust agreement**
   Enter the exact trust name, the date it was signed, any amendment dates, and the settlors.

2. **List the current trustees and signing rule**
   Name every currently acting trustee and initial whether one trustee may act alone or all must sign.

3. **Revocability and powers**
   Initial revocable or irrevocable and list the powers needed for this transaction. Under New York law, a lifetime trust is irrevocable unless the trust agreement says it can be revoked, so check the agreement.

4. **Sign before a notary**
   Every trustee signs before a notary with a current government-issued photo ID. Signing outside New York? The out-of-state certificate (RPL 309-b) is included. **First Choice notaries handle both.**

After It's Signed

- Give the original to the bank, broker or title company, and keep a copy. Ask whether they also want excerpts of the trust pages that name the trustee and grant the powers.
- If the certification will be recorded with a deed, complete the Record and Return information requested by the County Clerk.
- Sign a new certification whenever a trustee changes or the trust is amended.

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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.

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CERTIFICATION OF TRUST

New York — Trustee's Certification of Trust Existence and Authority

The undersigned trustee(s) certify as follows regarding the trust named below (the "Trust"):

1. The Trust

Name of Trust: _____

Date of trust agreement: _____ Amendments (dates, if any): _____

Settlor(s) / Grantor(s): _____

Governing law: _____

Taxpayer identification number (or settlor's, if revocable): _____

You may leave this blank and give the number directly to the bank or institution.

2. Current Trustee(s)

Trustee: _____ Address: _____

Trustee: _____ Address: _____

Initial one:

(_____) Any one trustee may sign and act alone for the Trust.

(_____) All trustees must sign together.

(_____) Other signing requirement:

_____

3. Revocability

(_____) The Trust is **revocable**. The person(s) holding the power to revoke it:

_____

(_____) The Trust is **irrevocable**.

4. Trustee Powers

The trust agreement gives the trustee(s) the following powers relevant to this transaction (for example, to buy, sell, mortgage or lease real property; to open, maintain and close accounts; to invest; to borrow):

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5. Title to Trust Assets

Title to Trust assets should be taken as: _____

e.g., "Jane Doe, as Trustee of the Doe Family Trust dated June 1, 2024"

6. Statements of Trustee(s)

The Trust exists and has not been revoked, modified or amended in any manner that would cause the statements in this certification to be incorrect. The undersigned are all of the currently acting trustees. The dispositive terms of the Trust are not included. The undersigned will provide copies of the excerpts of the trust agreement that name the trustee(s) and grant the powers stated above if requested. These statements are true to the best of my knowledge.

_____ _____

Trustee signature Date

_____

Printed name

_____ _____

Trustee signature Date

_____

Printed name

ACKNOWLEDGMENT OF TRUSTEE(S) IN NEW YORK (Real Property Law § 309-a)

State of New York)

) ss.:

County of _____)

On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____

Signature and office of individual taking acknowledgment

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

Registration No. _____; Commission Expires _____

(Notary stamp)

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ACKNOWLEDGMENT OUTSIDE NEW YORK (Real Property Law § 309-b)

Use this certificate instead of the New York certificate if the document is signed outside New York State.

State (or District / Country) of _____)
) ss.:
County of _____)

On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in _____.

insert the city or other political subdivision and the state or country or other place the acknowledgment was taken

_____
Signature and office of individual taking acknowledgment

(Notary seal or stamp)

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