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How to Complete Your Ohio Transfer on Death Designation Affidavit

Transfer on Death Designation Affidavit (R.C. 5302.22 and 5302.23)

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

About this form. Ohio's transfer on death designation affidavit names who will receive your real estate at your death, **without probate**, while you keep full ownership during your life.

1. **Owner and property (Pages 1–2)**
   State how you hold title, and copy the legal description, parcel number, and prior instrument reference exactly.
2. **Name beneficiaries (Page 3)**
   Name each beneficiary, shares, and any contingent beneficiary. If you are married, your spouse signs the dower statement.
3. **Sign under oath before a notary (Page 4)**
   Ohio requires this affidavit to be **sworn before a notary** by the owner and any spouse. Bring a current, government-issued photo ID.
4. **Record it before death (required)**
   It works only if **recorded with the county recorder before your death**. No conveyance fee applies.

After It's Signed

- After your death, the beneficiary records an Affidavit of Confirmation with a death certificate. We have a free Ohio form.
- You may change beneficiaries by recording a new affidavit. A will cannot revoke it.
- A deed form does not prove who owns the property or whether there are liens. For a sale or loan, a title company and title insurance are strongly recommended.

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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**. Attorneys licensed in California, Nevada, and other states.

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TRANSFER ON DEATH DESIGNATION AFFIDAVIT

(Ohio Revised Code 5302.22 and 5302.23)

Name of owner (affiant) Marital status

being first duly sworn, states:

1. Affiant is the person appearing on the record as the owner of the real property or interest in real property described below, and is

   the sole owner;

   a tenant in common;

   a survivorship tenant;

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2. Property:
the following REAL PROPERTY situated in the

City / Village / Township of County of
State of Ohio:

Legal description (attach Exhibit A if more space is needed)

Permanent parcel number Property address

Prior Instrument Reference: Instrument No. (or Volume and Page), County Recorder’s records

3. Interest designated (check one):

the entire interest of the affiant

only the following part:

Describe

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4. Affiant designates the following transfer on death beneficiary or beneficiaries, identified by name (with shares, if not equal):

Name of beneficiary	Address	Share
Name of beneficiary	Address	Share
Name of beneficiary	Address	Share

Contingent beneficiary, if a beneficiary does not survive the affiant (optional):

Name of contingent beneficiary	Address

If a named beneficiary does not survive me, that beneficiary's share passes to the beneficiary's lineal descendants, per stirpes.

5. **Spouse's statement** (required if the owner is married): I, the spouse of the owner, state that my dower rights are subordinate to the vesting of title to the real property or interest in the real property in the transfer on death beneficiary or beneficiaries designated in this affidavit.

Any person who knowingly makes a false statement in this affidavit is guilty of falsification under R.C. 2921.13(A)(6).

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X _____ X _____

Owner (affiant) Spouse of owner (if any)

Printed name Printed name

JURAT

STATE OF OHIO)
) ss.
COUNTY OF)

Sworn to (or affirmed) and subscribed before me on

(date) by (name of owner and spouse)

An oath or affirmation was administered to the signer with regard to the notarial act.

X _____

Notary Public

(Notary seal)

Notary's printed name

My commission expires

This instrument was prepared by (name and address)

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