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How to Complete a Pennsylvania Disclaimer

Disclaimer of Interest • 20 Pa.C.S. Chapter 62

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

About this form. A disclaimer lets a person refuse an inheritance, gift, trust share or beneficiary payment, so it passes to the next person in line as if the disclaimant had died first. People use it for tax planning or to let an inheritance go to their children.

1. **Describe the interest exactly**
   Name the decedent or donor, the source, and the property.
2. **Choose all or part**
   You may disclaim all or a stated part. Do not accept any benefit from it first.
3. **Act quickly**
   For federal tax purposes a disclaimer generally must be made within nine months of the death or transfer.
4. **Sign before a notary and deliver it**
   Deliver it to the executor, trustee or account holder. Record it if real estate is involved.

Signing requirements: Signed by the disclaimant before a notary (needed for recording and expected by institutions).

After It's Signed

- A disclaimer is irrevocable. Speak with an attorney or tax adviser before signing.

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

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DISCLAIMER OF INTEREST

Commonwealth of Pennsylvania • 20 Pa.C.S. Chapter 62

Disclaimant (person disclaiming)

Address

Decedent, donor or creator of the interest

Date of death or transfer

Source of interest (will, intestacy, trust, beneficiary designation, joint account, etc.)

1. DESCRIPTION OF THE INTEREST

The disclaimant has the following interest in property (describe the property, account or share, and how it passes to the disclaimant):

2. DECLARATION OF DISCLAIMER

The disclaimant irrevocably and unqualifiedly disclaims (check one):

☐ All of the interest described above.

☐ The following part or fraction of the interest:

The disclaimant has not accepted the disclaimed interest or any of its benefits. The disclaimed interest shall pass as if the disclaimant had died immediately before the time of transfer, as provided in 20 Pa.C.S. Chapter 62, unless the governing instrument provides otherwise. This disclaimer is intended to be a qualified disclaimer under Section 2518 of the Internal Revenue Code.

3. REAL ESTATE (if any)

Property address, county and UPI / parcel no. (record this disclaimer in that county)

4. DELIVERY

This disclaimer will be delivered to the personal representative, trustee or other person holding the property:

Delivered to (name and capacity)

Date delivered

X _____

Disclaimant signature

Date

Printed name

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ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

This record was acknowledged before me on _____ (date) by _____ (name(s) of individual(s)).

X _____
Signature of notarial officer

_____
Title of office (e.g., Notary Public)

_____ _____
My commission expires Commission number

(Notary seal)

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