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How to Complete Your Utah Small Estate Affidavit

Collection of Personal Property by Affidavit (Utah Code 75-3-1201)

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

About this form. Utah's small estate affidavit lets the heirs or will beneficiaries of a person who died collect bank accounts, vehicles, and other **personal property** without probate, when the estate is small and has no real estate to transfer.

1. **Check that you qualify**
   At least **30 days** have passed since the death, no probate case is open, and the estate, less liens, is worth **$100,000 or less**.
2. **Fill in the successors and property (Pages 1–2)**
   List each successor, their share, and the property to be collected. Attach a death certificate and any will.
3. **Swear before a notary (Page 3)**
   Each affiant signs under oath before the notary. Bring a current, government-issued photo ID.

After It's Signed

- Give a copy to each bank or company holding the property. For vehicles, the Utah DMV has its own survivorship affidavit, which we can also notarize.
- The Utah courts also publish a small estate affidavit form. Some institutions prefer it.

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COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT

Small Estate Affidavit (Utah Code 75-3-1201)

The affiant(s) named below, being first duly sworn, state(s):

Name of affiant / successor

Address

Name of second affiant (if any)

Address

1. The decedent named below died on the date stated. A copy of the death certificate is attached.

Name of decedent

Date of death

Last address (city, county, state)

2. At least thirty days have elapsed since the death of the decedent.
3. No application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.
4. The value of the entire estate, wherever located, less liens and encumbrances, does not exceed $100,000.
5. This affidavit does not transfer real estate.
6. The decedent left (check one):

   no will.

   a will, a copy of which is attached.

Affiant's initials: _____

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7. The affiant(s) are the successor(s) entitled to payment or delivery of the following property of the decedent, in the shares stated (heirs if no will; devisees if a will):

Name of successor — relationship — share or property

8. The property to be paid or delivered to the successor(s) is:

Description of property (bank accounts, securities, vehicles, other personal property)

9. The affiant(s) request that the property be paid or delivered as stated above. The affiant(s) understand that a person receiving the property is answerable to any person with a prior right and must account for it to the decedent's personal representative if one is later appointed.

Affiant's initials: _____

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Date

X
Affiant

X
Second affiant (if any)

JURAT

STATE OF UTAH)
) ss.
COUNTY OF ____)

Subscribed and sworn to before me on

(date) by (name of affiant(s))

X
Notary Public

(Notary seal)

Notary's printed name

Commission number My commission expires

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