**SMALL ESTATES AFFIDAVIT — TRANSFERRING CERTAIN**

**PERSONAL PROPERTY IN ESTATES UNDER $75,000**

**PURSUANT TO K.S.A. 59-1507b**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(name of affiant)***, being duly sworn states:

(1) On **\_\_\_\_\_\_\_\_\_\_\_\_\_ *(date)*, \_\_\_\_\_\_\_\_ *(year)*, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(decedent)*** died  **testate (with a will) or intestate (without a will)** at  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*location)***, leaving a probate estate not exceeding $75,000 in value, and I have attached a certified copy of the death certificate to this affidavit.

(2) No petition for the appointment of an executor or administrator of the decedent’s estate is pending or has been granted.

(3) All unpaid debts, claims or demands against the decedent or the decedent’s estate and all estate and inheritance taxes due, if any, on the property transfers involved have been or will be paid.

(4) That the following are the names, ages, relationships and addresses of the beneficiaries under the decedent’s will or heirs of the decedent:

***Name Age Relationship Address***

(5) The decedent’s probate estate consists of the following personal property: (include the proceeds from insurance policies payable to the estate and identify the policy by number):

***Property Value***

**Vehicles**

**Vehicle Value Vehicle(s) Information**

$ VIN Year Make Style

I certify to the best of my knowledge that the odometer reading for the above vehicle is: (no 10th’s)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  | **•** | **Ø** |

and the reading is: ActualExceeds Mechanical Limits Not Actual > ***WARNING-ODOMETER DISCREPANCY***

$ VIN Year Make Style

I certify to the best of my knowledge that the odometer reading for the above vehicle is: (no 10th’s)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  | **•** | **Ø** |

and the reading is:  Actual Exceeds Mechanical Limits Not Actual > ***WARNING-ODOMETER DISCREPANCY***

$ VIN Year Make Style

I certify to the best of my knowledge that the odometer reading for the above vehicle is: (no 10th’s)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  | **•** | **Ø** |

and the reading is:  Actual Exceeds Mechanical Limits Not Actual > ***WARNING-ODOMETER DISCREPANCY***

(6) Affiant has the right to succeed to the personal property of the decedent, and affiant is over 18 years of age and is legally competent in all respects to make this affidavit and to receive the above-mentioned personal property.

Affiant requests that the property be apportioned among the beneficiaries or heirs, if more than one, as follows:

**OR**

Affiant agrees to receive the property and will distribute or apportion the property among the beneficiaries or heirs, if more than one, as follows:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature)

STATE OF KANSAS

COUNTY OF

SUBSCRIBED AND SWORN to (or affirmed) before me on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*(date)* by\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(name of person making statement)*.

Signature of Notarial Officer

(OFFICIAL STAMP)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title of Officer

My Commission Expires:

**Notes on Use**

This affidavit may be used to obtain the transfer, to a decedent’s successor in interest, of certain personal property that would be transferrable to the decedent, without obtaining letters of administration or letters testamentary, where the total value of the estate subject to probate does not exceed $75,000. The amount was raised from $40,000 to $75,000 effective July 1, 2023. The transfer is treated as one to the personal representative of the decedent, and the receipt of the transfer operates as a full discharge and release of the transferor.

This form has been amended to include the vehicle information required by the Kansas Department of Revenue (KDOR) in its form TR-83b, Claim of Heir and/or Beneficiary Affidavit. While all personal property that is part of the probate estate should be listed in paragraph 5, vehicle VIN numbers and odometer readings are only required if the form is being submitted to the KDOR’s Division of Vehicles to obtain transfer of a vehicle title.