



Transfer on Death Designation Affidavit for Real Estate

Permits the direct transfer of real estate to one or more beneficiaries upon the owner's death without Probate Court involvement.

What are the benefits?



The living owner keeps all rights of ownership. For example, the owner may:

- Sell or transfer ownership.
- Cancel an existing transfer on death designation.
- Remove or change the beneficiary by filing a new title.

A beneficiary has no right to the property while the owner is alive. For example:

- The beneficiary cannot: transfer, encumber, or give away their interest.
- A beneficiary's bankruptcy, debt collection, or divorce does not involve the property.



The real estate passes to the beneficiary without involving Probate Court.

Ownership is changed with the County Recorder.

What it does NOT do...

- Reduce the owner's countable assets for Medicaid eligibility. Talk to an attorney for possible exceptions.
- Avoid estate tax.
- Protect the asset from the owner's creditors. Liens and mortgages follow the property.
- Avoid conflict among beneficiaries after the owner's death.
- Deal with a beneficiary's interest if they die before the owner.



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