

## **INSTRUCTIONS FOR TRANSFER OF ASSETS W/O ADMINISTRATION**

### **IC 29-1-8-1**

**Small estates; affidavit of conditions; motor vehicle transfers;  
Securities; insurance death benefits; safe deposit boxes**

Sec. 1. (a) Forty-five (45) days after the death of a decedent and upon being presented an affidavit that complies with subsection (b), a person:

- (1) indebted to the decedent; or
- (2) having possession of personal property or an instrument evidencing a debt, an obligation, a stock, or a chose in action belonging to the decedent;

shall make payment of the indebtedness or deliver the personal property or the instrument evidencing a debt, an obligation, a stock, or a chose in action to a distributee claiming to be entitled to payment or delivery of property of the decedent as alleged in the affidavit.

(b) The affidavit required by subsection (a) must be an affidavit made by or on behalf of the Distributee and must state the following:

- (1) That the value of the gross probate estate, wherever located (less liens and encumbrances), does not exceed fifty thousand dollars (\$50,000);
- (2) That forty-five (45) days have elapsed since the death of the decedent;
- (3) That no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction;
- (4) The name and address of each distributee that is entitled to a share of the property and the part of the property to which each distributee is entitled;
- (5) That the affiant has notified each distributee identified in the affidavit of the affiant's intention to present an affidavit under this section;
- (6) That the affiant is entitled to payment or delivery of the property on behalf of each distributee identified in the affidavit.

(c) If a motor vehicle or watercraft (as defined in IC 9-13-2-198.5) is part of the estate, nothing in this section shall prohibit a transfer of the certificate of title to the motor vehicle if five (5) days have elapsed since the death of the decedent and no appointment of a personal representative is contemplated. A transfer under this subsection shall be made by the bureau of motor vehicles upon receipt of an affidavit containing a statement of the conditions required by subsection (b)(1) and (b)(6). The affidavit must be duly executed by the distributees of the estate.

(d) A transfer agent of a security shall change the registered ownership on the books of a corporation from the decedent to a distributee upon the presentation of an affidavit as provided in subsection (a).

(e) For the purposes of subsection (a), an insurance company that, by reason of the death of the decedent, becomes obligated to pay a death benefit to the estate of the decedent is considered a person indebted to the decedent.

(f) For purposes of subsection (a), property in a safe deposit box rented by a decedent from a financial institution organized or reorganized under the law of any state (as defined in IC 28-2-17-19) or the United States is considered personal property belonging to the decedent in the possession of the financial institution.

**YOU MUST COMPLETE THE ATTACHED AFFIDAVIT AND PROVIDE  
A COPY OF THE DECEASED DEATH CERTIFICATE.**

IN THE CIRCUIT COURT NO. 1 FOR CLARK COUNTY  
STATE OF INDIANA

IN RE: THE ESTATE OF \_\_\_\_\_

CASE NO. \_\_\_\_\_

**AFFIDAVIT FOR TRANSFER OF ASSETS WITHOUT  
ADMINISTRATION**

The undersigned states that:

1. The above decedent died on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ testate/intestate, while domiciled in Clark County, Indiana.
2. No application or petition for the appointment of a personal representative of said decedent's estate is pending or has been granted in any jurisdiction.
3. More than forty-five (45) days have elapsed since the death of said decedent.
4. The value of the gross probate estate of said decedent, wherever located, less liens and encumbrances, does not exceed fifty thousand dollars (\$50,000.00).
5. The persons set forth in paragraph 6 below are entitled to the property as set forth after their names, by reason of: being the surviving \_\_\_\_\_ of said decedent.
6. The following person/persons are entitled to receive, without administration, the following listed property from the person, firm or corporation shown after said property, subject to liens and encumbrances:

Name and Address of Person Entitled to Property	Relationship to Decedent or Estate and Age	Description of Property	Lien or Encumbrance	Name and Address of Entity Holding Property

7. The undersigned affiant, as claimant, has notified each person identified in the previous Paragraph of the claimant's intention to present an affidavit pursuant to I.C. 29-1-8-1.
8. The undersigned affiant, as claimant, is entitled to payment or delivery of the property on behalf of each person identified in this affidavit.
9. This affidavit is made for the purpose of inducing the above named holders of said decedent's above-described property to turn said property over to the persons, indicated in Paragraph 6 above or the undersigned affiant on behalf of such persons as provided by law. (See §§ IC 29-1-8-1 and 29-1-8-2.)

I affirm under the penalties for perjury that the foregoing representations are true.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Affiant  
Printed Name of Affiant \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone Number: \_\_\_\_\_