

## FORM SUMMARY

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**Name of Form:** Transfer by Affidavit (\$50,000 and Under)

**Form Number:** PR-1831

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**Statutory Reference:** §867.03, Wisconsin Statutes

**Benchbook Reference:** PR 8

**Purpose of Form:** When a decedent leaves property subject to administration in Wisconsin which does not exceed \$50,000 in value, an heir, trustee of trust created by decedent, or person who was guardian of the decedent at the time of the decedent's death may have that property transferred by completing this affidavit and furnishing it to the person who holds the property.

**Who Completes It:** The heir or person who was guardian of the decedent at the time of the decedent's death.

**Distribution of Form:** Original must be provided to the holder of the property. If required, a notice of affidavit or a copy must be sent by certified mail, return receipt requested, to the Department of Health and Family Services.

If real estate, a certified copy or duplicate original shall be recorded with the register of deeds for each county in this state which the property is located.

**Accompanying Forms:**

**New Form/Modification:** Modification; last update 10/03.

**Modifications:** Modified value of property that may be transferred to \$50,000 and under, changed solely owned property to property subject to administration, added trustee of a trust created by the decedent to persons that may use the affidavit, added obligation of affiant, deleted language on use related to date of death in accord with 2005 Wisconsin Act 216. Added name of person who drafted instrument and deleted social security number to facilitate recording under s. 59.43, Wisconsin Statutes, and 2005 Wisconsin Act 139, and other modifications.

**Comments:** If providing notice to the Estate Recovery Program, or providing affidavit to financial institutions, decedent's social security number must be provided on a separate document.

**About this form:** This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

**If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.**