

# DECLARATION FOR COLLECTION OF PERSONAL PROPERTY WITHOUT ADMINISTRATION OF ESTATE (PROBATE CODE §13101)

**CAUTION!** This is a legal document to be executed under oath. The Credit Union is providing this document as a courtesy, but does not make any representation or promise regarding whether you may or should execute it. **Read it carefully** before signing it to be sure everything in it is accurate. Seek legal counsel if you have any questions. You may use your own form, so long as it complies with California law.

EACH person who signs this declaration individually declares that:

1. The name of the decedent who owns property held by the Credit Union is \_\_\_\_\_.
2. The decedent died on *(date)* \_\_\_\_\_, at *(city & state)* \_\_\_\_\_.
3. At least 40 days have elapsed since the death of the decedent, as shown by the attached copy of the decedent's death certificate.
4. Check whichever one of the following paragraphs is appropriate:
  - No proceeding is now being or has been conducted in California for administration of the decedent's estate.
  - The decedent's personal representative has consented in writing to the payment, transfer, or delivery to the affiant(s) or declarant(s) of the property described in the affidavit or declaration (See Instruction 'C' on next page).
5. The current gross value of the decedent's real and personal property in California, excluding the property described in Section 13050 of the California Probate Code, does not exceed the current small estate threshold (\$150,000 if DOD is 2019 or before / \$166,250 if between 1/1/2020-03/31/2022 /\$184,500 4/1/2022 or beyond).
6. The following is a description of the property of the decedent that the affiant(s) or declarant(s) ask to be paid, transferred, or delivered to the affiant(s) or declarant(s):  
Travis Credit Union Account Number(s): \_\_\_\_\_
7. The name(s) of the successor(s) of the decedent (as defined in Section 13006 of the California Probate Code) to the described property is/are: \_\_\_\_\_  
\_\_\_\_\_
8. Check whichever one of the following paragraphs is appropriate:
  - The affiant(s) or declarant(s) is/are the successor(s) of the decedent (as defined in Section 13006 of the California Probate Code) to the decedent's interest in the described property.
  - The affiant(s) or declarant(s) is/are authorized under Section 13051 of the California Probate Code to act on behalf of the successor of the decedent (as defined in Section 13006 of the California Probate Code) with respect to the decedent's interest in the described property.
9. No other person has a superior right to the interest of the decedent in the described property.
10. The affiant(s) or declarant(s) request(s) that the described property be paid, delivered, or transferred to the affiant(s) or declarant(s).
11. In consideration of such issuance, the affiant(s) or declarant(s) agree(s) to fully and completely indemnify and save the Credit Union and all parties connected with the payment harmless from and against any and all liability, expense, or damage of whatsoever nature or extent which may hereafter arise or be incurred by the Credit Union or by said parties by reason of the payment, delivery or transfer to the affiant(s) or declarant(s).

(CONTINUED ON REVERSE SIDE)

(CONTINUED FROM REVERSE SIDE)

12. The affiant(s) or declarant(s) acknowledge(s) that, although this form has been provided by the Credit Union for the convenience of the affiant(s) or declarant(s) in this transaction, **the Credit Union makes no representation as to whether the affiant(s) or declarant(s) is/are legally entitled to take the property of the decedent or, if the affiant(s) or declarant(s) is/are so entitled, as to whether use of the declaration is the proper method for obtaining possession of such property**, and that the affiant(s) or declarant(s) has/have been encouraged to seek legal counsel as to the right and responsibilities of the affiant(s) or declarant(s) and as to the legal effect of executing this declaration.

13. The undersigned affiant(s) or declarant(s) each affirms or declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE	SIGNATURE	TYPE OR PRINT NAME
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_  
*Witnessed by (Travis Credit Union use only)*

**OR**

State of California  
County of \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On \_\_\_\_\_ before me, \_\_\_\_\_, personally  
(date) (insert name and title of the officer)

appeared \_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

**(SEAL)**

**INSTRUCTIONS**

- A. The signatures of each person signing this declaration must be accompanied by a notary public's certificate of acknowledgement for amounts over \$1000 if not signed in the presence of a Travis Credit Union employee.
- B. A copy of the decedent's death certificate must be attached.
- C. If the decedent's personal representative has consented to the payment, transfer or delivery to the affiant(s) or declarant(s), attach a copy of the written consent and of the personal representative's letters.