

Form CC-1685 Instructions

Small Estate Affidavit

Using This Revisable PDF Form

1. Pursuant to Virginia Code § 64.2-601(A), this form should be signed by all known successors of the decedent's (deceased person's) estate. A successor is any person, other than a creditor, who is entitled under the decedent's will or the laws of intestacy to part or all of a small asset. Each successor's signature must be notarized.
2. Pursuant to Virginia Code § 64.2-601(A)(1), this form should only be used when the value of the deceased person's entire personal probate estate as of the date of death does not exceed \$75,000.
3. Attachments –
 - a. Attach as many pages as needed to list the names and addresses of all successors of the decedent's estate (see element no. 5).
 - b. Attach as many pages as needed to provide the date and signature of each successor of the decedent's estate (see element no. 8).

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Data Elements

1. Name of decedent (person who passed away).
2. Date of decedent's death.
3. Provide a description of the small asset (bank account, savings institution account, credit union account, brokerage account, security, deposit, tax refund, overpayment, item of tangible personal property, or an instrument evidencing a debt, obligation, stock, or chose in action).
4. Provide the basis for the claiming successor's entitlement to payment or delivery of the small asset. If "other" is chosen, include additional information on the line provided.
5. Provide the names and addresses of all known successors of the decedent's estate.
6. Provide the name of each successor that is designated to receive payment or delivery of the small asset on behalf of all successors.
7. Date and signature of each successor of the decedent's estate.
8. This section is only for use by the clerk, deputy clerk, or notary public.

SMALL ESTATE AFFIDAVIT

Commonwealth of Virginia
Va. Code § 64.2-601

I/we, the successor(s), after being duly sworn, state as follows pursuant to Va. Code § 64.2-601:

1. Name of the deceased person ("the decedent"): **1**

2. The decedent's date of death: **2**

3. The value of the decedent's entire personal probate estate as of the date of the decedent's death, wherever located, does not exceed \$75,000.

4. A description of the small asset is as follows:

..... **3**
.....

5. The claiming successor is entitled to payment or delivery of the "small asset" and the basis for such entitlement is described below:

4 { ☐ Surviving Spouse ☐ Beneficiary under Will ☐ Heir (no Will)
 ☐ Other

6. At least 60 days have passed since decedent's death.

7. No application for the appointment of a personal representative is pending or has been granted in any jurisdiction.

8. The decedent's will, if any, was duly probated.

9. The names and addresses of all successors, to the extent known, is/are:

NAME

ADDRESS

- 5**
- a.
- b.
- c.
- d.
- e.

(Attach additional pages if more space is needed)

10. The name of each successor designated to receive payment or delivery of the small asset on behalf of all successors is/are:

6

- a.
- b.
- c.
- d.
- e.

11. The designated successor shall have a fiduciary duty to safeguard and promptly pay or deliver the small asset as required by the laws of the Commonwealth.

7

{	 DATE	 SIGNATURE OF SUCCESSOR
	 DATE	 SIGNATURE OF SUCCESSOR
	 DATE	 SIGNATURE OF SUCCESSOR
	 DATE	 SIGNATURE OF SUCCESSOR
	 DATE	 SIGNATURE OF SUCCESSOR

8

Commonwealth/State of [] City [] County of

Subscribed and sworn to/affirmed before me on this day of, 20

by

.....
PRINT NAME(S) OF SIGNATORY
.....

.....
DATE [] CLERK [] DEPUTY CLERK [] NOTARY PUBLIC

Notary Registration No. My commission expires: