



# 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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