

# **Affidavit for Collection of Personal Property in a Small Estate Proceeding**

## **Affidavit for Collection of Personal Property (pursuant to a small estate proceeding under Idaho Code Sections 15-3-1201 and 15-3-1202)**

Attached to this page is a Word.doc version of the Affidavit for Collection of Personal Property that may be edited and filled in electronically before filing.

The attached form is available for free to seniors and low income Idaho residents collecting personal property of decedents who lived in Idaho and had no plans to go and make their primary residence somewhere else at the time of their deaths. It could be used by non-Idaho residents or to collect property of people who did not die in Idaho or live in Idaho when they died, but only in certain circumstances that might or might not apply in your case. In such a case, you should probably consult with an attorney before completing and using an Affidavit Collecting Property.

An Affidavit Collecting Property is only appropriate if the fair market value of the decedent's entire estate (wherever the property might be)—after all liens and debts on the property are deducted—is no more than one hundred thousand dollars (\$100,000).

The information you will need to complete the Affidavit Collecting Personal Property includes:

- A copy of the decedent's death certificate to attach to the affidavit. This will provide most of the information you will need to generate this affidavit.
- The name of the county where the affidavit will be signed.
- The name of any person who will sign the affidavit. (These must be people entitled to receive the property under a will or Idaho's intestacy statutes.)
- Names of those entitled to receive the personal property of the decedent and the proportion or amount of the property they are to receive.

Last updated on March 01, 2021.

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