

**VIRGINIA SMALL ESTATE ACT AFFIDAVIT**  
*Va. Code §§ 64.2-600 & -601*

**Note to the “Person” to whom this Affidavit is delivered:** *Any person having possession of a small asset shall pay or deliver the small asset to the designated successor of the decedent upon being presented an affidavit made by all of the known successors. If you do not understand or have questions regarding your legal responsibilities relative to this Affidavit, you should consult an attorney at law.*

I/WE, the “Successor(s)” \_\_\_\_\_, after being first duly sworn, depose and state as follows:

1. That \_\_\_\_\_, the “Decedent”, died on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

2. That at the time of death, the Decedent’s estate consisted only of a “Small Asset”.  
*“Small asset” means any indebtedness owed to or any asset belonging or presently distributable to the decedent, other than real property, having a value, on the date of the decedent's death, of no more than \$50,000. A small asset includes any 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. Upon the presentation this affidavit, the designated successor may endorse or negotiate any small asset that is a check, draft, or other negotiable instrument that is payable to the decedent.*

A description of the Small Asset appears below:

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3. That the value of Decedent’s entire personal probate estate as of the date of the decedent’s death, wherever located, does not exceed \$50,000.00.

4. That at least 60 days have elapsed since the Decedent’s death.

5. That no application for the appointment of a personal representative is pending or has been granted in any jurisdiction.

6. That the Decedent’s will, if any, was duly probated.

7. That the claiming Successor is entitled to payment or delivery of the small asset, and the basis upon which such entitlement is claimed appears below:

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8. The names and addresses of all Successors, to the extent known, are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

10. That 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.

WHEREFORE, the undersigned Successor(s) to the Small Asset of the Decedent, make this Affidavit pursuant to Va. Code § 64.2-601.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

STATE OF \_\_\_\_\_,  
City/County of \_\_\_\_\_, to-wit:

This Virginia Small Estate Act Affidavit was acknowledged, subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

\_\_\_\_\_.

My Commission expires: \_\_\_\_\_.  
Notary Registration number: \_\_\_\_\_.

NOTARY SEAL

\_\_\_\_\_  
NOTARY PUBLIC