

CHECKLIST - CERTIFICATE OF TRANSFER

(Disclaimer: This checklist is intended as a guideline only and is subject to modification by the Court at any time)

MANDATORY DEPOSIT DUE AT TIME OF FILING: (CHECK / CASH/ MONEY ORDER – ONLY)

\$68.00 WITH WILL

\$35.00 WITHOUT WILL

REQUIREMENTS

The decedent must have been a resident of Lake County, Ohio at the time of death, or owned real estate in Lake County. Real estate must be the only asset in the estate. For more information please see O.R.C 2113.61(D).

**Note: All paperwork should be typed, single sided, and please do not staple originals.
All documents being filed must have original signature.**

INITIAL FILING: All forms listed and the filing fee must be presented together or the proceeding will not be initiated:

- ☐ Photocopy of the death certificate – with the social security number redacted
- ☐ Application for Certificate of Transfer (Form 12.0)
- ☐ Certificate of Transfer (Form 12.1)
- ☐ Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)
- ☐ Proof of the Auditor Valuation and Legal Description of the property (Deed).
- ☐ For dates of death prior to January 1, 2013, Form ET 22 is required.
 - Additional fee of \$30 if Section A is filled out -Additional fee of \$5 if Section B is filled out

WHEN ADMITTING THE WILL: *If a transfer is pursuant to a Will, you **must** do all of the following.*

- ☐ File the **Original** Will
- ☐ Complete the Application to Probate Will (Form 2.0)
- ☐ Complete the Surviving Spouse, Children, Next Of Kin, Legatees and Devisees (Form 1.0)
- ☐ Waiver of Notice of Probate of Will (Form 2.1)
 - Signatures on the waiver form are from EVERYONE listed on the FRONT and BACK of the Next of Kin Form (Form 1.0)

LATER FILINGS -WITH WILL ONLY (CAN BE FILED AFTER THE CASE HAS BEEN INITIATED):

- ☐ Notice of Probate of Will (Form 2.2)
- ☐ Certificate of Service of Notice of Probate of Will (Form 2.4)

Court of Common Pleas
Division of Probate
Judge Mark J. Bartolotta



Lake County Courthouse, West Annex
Physical Address: 25 North Park Place,
Painesville, Ohio 44077
Mailing Address: P.O Box 490
Painesville, Ohio 44077
#440-350-2626
www.lakecountyohio.gov/probatelco

**PROBATE COURT OF LAKE COUNTY, OHIO
JUDGE MARK J. BARTOLOTTA**

ESTATE OF _____, DECEASED

CASE NO. _____

CONTACT INFORMATION FORM

Attorney for Applicant(s) _____

Attorney's Street Address _____

City, State and Zip Code _____

Attorney's Telephone Number _____

Fax Number _____

Attorney's Email Address _____

Attorney's Registration Number _____

Applicant's Name _____

Applicant's Street Address _____

City State and Zip Code _____

Applicant's Telephone Number _____

Applicant's Email Address _____

Applicant/Attorney (or give other title)

PROBATE COURT OF LAKE COUNTY, OHIO
MARK J. BARTOLOTTA JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

APPLICATION FOR CERTIFICATE OF TRANSFER

[R.C. 2113.61]

Applicant states that decedent died on _____.

Decedent's domicile at death was _____
Street Address

City or Village, or Township if unincorporated area County

Post Office State Zip Code

Decedent died owning the real property described in the accompanying Certificate of Transfer No. _____, which also lists those persons to whom the real property passed. Applicant asks the Court to issue a Certificate of Transfer so that new ownership interests may be recorded.

[Check the applicable boxes]

- ☐ Decedent died intestate.
- ☐ Decedent died testate on _____; Will admitted to probate on _____.
- ☐ Decedent's known debts have been paid or secured to be paid.
- ☐ Sufficient other assets are in hand to pay decedent's known debts.
- ☐ Estate is insolvent and the transfer shall apply toward the allowance for support.
- ☐ Applicant was appointed by this Court on _____ and is the qualified and acting executor or administrator of decedent's estate.
- ☐ Executor or administrator of decedent's estate failed to file this application before being discharged.
- ☐ Applicant is the executor or administrator appointed in another state. There is and has been no ancillary administration in Ohio. The real property to be transferred is located in this county.
- ☐ The transfer is subject to a written contract for the sale and conveyance of the real property, entered into but uncompleted by decedent before death. A copy of the contract is attached.
- ☐ There has been no administration and none is contemplated [R.C. 2113.61(D)].
- ☐ The transfer is pursuant to decedent's Will.
- ☐ The transfer is pursuant to the statutes of descent and distribution.
- ☐ The transfer is pursuant to summary release from administration [R.C. 2113.031(D)(3)].
- ☐ The real property to be transferred is subject to a charge in favor of the surviving spouse in the amount of \$_____ as computed pursuant to R.C. 2106.11 on attached Exhibit A, and as shown on the accompanying Certificate of Transfer, in respect of the unpaid balance of the specific monetary share which is part of the surviving spouse's total intestate share.

CASE NO. _____

- ☐ Spousal elections have been exercised.
- ☐ Disclaimers or assignments have been filed.
- ☐ The transfer is of decedent's entire interest in the mansion house to the surviving spouse, who hereby elects to take such interest as part or all of the intestate share and/or allowance for support. **[If this paragraph is checked, the following must be completed, and both the surviving spouse and applicant must sign this form].**

The value of the total intestate share to which decedent's surviving spouse is entitled is \$ _____

The value of the allowance for support to which decedent's surviving spouse is entitled is \$ _____

The value of decedent's entire interest in the mansion house is:

Interest in mansion house \$ _____

Interest in household goods in house \$ _____

Interest in lots or farm land adjacent to house
and used in conjunction with it, which are
described in Certificate of Transfer and which
spouse hereby elects to include \$ _____

Less: Decedent's share of liens
on any and all of above \$ _____

Total \$ _____ \$ _____

Surviving Spouse Signature

Typed or Printed Name

Applicant Signature

Typed or Printed Name

Title or status

ENTRY ISSUING CERTIFICATE OF TRANSFER

The Court finding that the above application contains the information required by statute orders that Certificate of Transfer No. _____ be filed with this Entry and a copy of the Certificate of Transfer be issued for recording.

- ☐ **[Check if applicable]** The Court further finds that the transfer is subject to a charge pursuant to R. C. 2106.11.

Date

JUDGE MARK J. BARTOLOTTA

ESTATE OF _____, DECEASED

NO. _____

CASE NO._____

The legal description of decedent's interest in the real property subject to this certificate is: **[use extra sheets, if necessary]**.

Prior Instrument Reference:

Parcel No:

This instrument was prepared by _____

ISSUANCE

This Certificate of Transfer is issued this _____ day of _____, 20_____.

Probate Judge

AUTHENTICATION

I certify that this document is a true copy of the original Certificate of Transfer No. _____ issued on _____ and kept by me as custodian of the official records of this Court.

Date

Probate Judge

By _____
Deputy Clerk