

**RULE CHANGE 2020(03)**  
**COLORADO PROBATE CODE FORMS**

**COLLECTION OF PERSONAL PROPERTY  
BY AFFIDAVIT PURSUANT TO § 15-12-1201, C.R.S.**

**NOTICE**

If a person or entity holding property of a decedent refuses to honor this affidavit without reasonable cause, such person or entity will be liable for all costs, including reasonable attorney fees and costs, incurred by or on behalf of the persons entitled to such property (§ 15-12-1202(3), C.R.S.)

The person or entity paying, delivering, transferring, or issuing personal property pursuant to this affidavit is discharged and released to the same extent as if he, she, or it dealt with a personal representative of the Decedent. (§ 15-12-1202(1), C.R.S.)

1. I, \_\_\_\_\_, the affiant, am either a successor of the decedent or a person acting on behalf of one or more of the successors of the decedent, and I am 18 years of age or older.
2. At least 10 days have elapsed since the death of \_\_\_\_\_ (decedent).
3. The total fair market value of all property owned by the decedent and subject to disposition by will or intestate succession at the time of the decedent's death, wherever that property is located, less liens and encumbrances, does not exceed, for year of death (Y.O.D.): Y.O.D. 2019 is \$68,000; 2017 and 2018 is \$66,000; Y.O.D. 2016, 2015, and 2014 is \$64,000; and Y.O.D. 2013 is \$63,000.
4. This affidavit is not valid for the transfer of real estate. To transfer personal property that affects real estate see § 15-12-1201(3.5), C.R.S.
5. No application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.
6. The successor(s), listed below, is/are entitled to any personal property belonging to the decedent, including but not limited to funds on deposit at, or any contents of a safe deposit box at, any financial institution; tangible personal property; or instrument evidencing a debt, obligation, stock, chose in action (right to bring a legal action), or stock brand. The amount, proportion or percentage that each Successor is entitled to is as follows (see Instructions):

Name of Successor	Description of Property	Amount

~~7. The property must be paid or delivered as described in the following table and then the property will be distributed to successors in accordance with paragraph 6 above (see Instructions):~~

<del>Name of Successor or Person collecting on behalf of one or more Successors</del>	<del>Description of Property</del>	<del>Amount</del>

~~8. Any person collecting property on behalf of one or more successors will be deemed an agent of such successor with all the duties of an agent under Colorado law.~~

~~9. I understand that any person who receives property pursuant to this affidavit is answerable and accountable to any subsequently appointed personal representative of the estate or any other person having a superior right to the estate.~~

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**~~VERIFICATION AND ACKNOWLEDGMENT~~**

I, \_\_\_\_\_ (name) swear/affirm under oath, that I have read the foregoing **COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT PURSUANT TO § 15-12-1201, C.R.S.** and that the statements set forth therein are true and correct to the best of my knowledge.

\_\_\_\_\_  
Printed name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public/Clerk

JDF 999SC [Repealed]

**Amended and Adopted by the Court, En Banc, March 5, 2020, effective immediately.**

**By the Court:**

**Richard L. Gabriel  
Justice, Colorado Supreme Court**