

SURVIVING SPOUSE TRANSFERS

A surviving spouse may elect to transfer up to two automobiles and one boat and/or outboard motor into their name without probate court proceedings provided that none of these items are disposed of by a will.

The only limit as to the dollar value of any of these transfers is when *two* automobiles are being transferred pursuant to the affidavit. When two vehicles are being transferred by the surviving spouse affidavit, the combined value of these vehicles must not exceed \$40,000.

When issuing a surviving spouse transfer, only the application portion of the back of the title is completed. The surviving spouse's name must be entered as the applicant, lien information must be stated if applicable, the basis for tax exemption should be entered as IH -"INHERITANCE", the title must be signed by the surviving spouse and the application portion of the title must be notarized.

No tax is due. No tax form is required.

The odometer reading is not required to be disclosed.

A surviving spouse affidavit must be completed, signed by the surviving spouse and notarized. This form will accompany the certificate of title for issuance.

If there is a lien on the decedent's title that is going to be carried forward, the title may be issued "without" the loan agreement or letter from the lien holder. A memorandum certificate should be applied for in order for the new owner to buy license plates.

A *copy* of the death certificate is required.

Remember to include the surviving spouse's social security number on the application.

***Prepared as a public service by the Franklin County Clerk of Courts Office
Maryellen O'Shaughnessy, Clerk***

SURVIVING SPOUSE Q AND A'S:

Q. Can a person take title to a recreational vehicle by surviving spouse?

A. **No, a recreational vehicle is not an automobile as defined in 2106.18**

Q. Can a person take title to a truck by surviving spouse?

A. **Yes, if the truck was used as a conveyance vehicle by the deceased or the decedent's family. Commercial trucks such as a Kenworth or Peterbilt cannot be titled by SS.**

Q. Can a person take title to a motorcycle by surviving spouse?

A. **Yes, this went into effect on March 23, 2006 in House Bill 246. The decedent must have passed away after March 23, 2006.**

Q. Can a person take title to a mobile home/manufactured home by surviving spouse?

A. **No, we cannot title a mobile or manufactured home as it is not an automobile as defined in 2106.18**

Note: *The combined value of the two automobiles cannot exceed over \$40,000.00.*