

AFFIDAVIT OF DOMICILE

I, _____, being duly sworn, hereby affirm under penalty of perjury, on this _____, that I am the _____ of the Estate of _____ (the "Decedent"). The purpose of this affidavit is to secure the transfer or delivery of securities registered in the name of the Decedent at the time of their death. As exhibits to this affidavit please find a list of the securities owned by the decedent, as well as a Certificate of Death.

The Decedent died on _____. At the time of death, the Decedent's legal residence was _____, _____, County of _____, State of _____. Decedent lived at this residence for _____ years prior to death and was not a resident of any other State within the United States of America at that time. Decedent's social security number is _____.

NOTARY ACKNOWLEDGEMENT

State of _____)

) (Seal)

County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by the undersigned, _____, who is personally known to me or satisfactorily proven to me to be the person whose name is subscribed to the within instrument.

Signature

Notary Public

My Commission Expires: _____

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GENERAL INSTRUCTIONS

What is an Affidavit of Domicile?

An Affidavit of Domicile is a legal document, used after someone has died, to establish their primary place of residence. It is often created and sworn by the executor of the deceased's estate and required by financial brokers to transfer securities ownership from the deceased to their beneficiaries.

Affidavits of domicile must be signed before a notary public, and the executor of other person signing the affidavit of domicile must swear, to the best of their knowledge, that the information contained in it is accurate. In situations where the deceased had more than one home, his or her domicile is the place where they have voted and paid taxes.

When Do I Need One?

An affidavit of domicile is needed when you are appointed as the executor of an estate and need to transfer the deceased's securities to their beneficiaries. This document is required by a financial broker to confirm the deceased person's residence in order to determine which state's estate and inheritance taxes will be assessed against these assets.

The Consequences of Not Using One

Without an affidavit of domicile, the executor of the will cannot settle an estate that includes stocks, bonds, or other securities. Under these circumstances, ownership of the securities cannot be transferred to the appropriate beneficiary and they cannot be cashed in order for the proceeds deposited into the estate account. This asset is also considered a debt against the estate because of the taxes that must be paid upon transfer or sale.

The estate is forced to remain open until the transfer occurs and the taxes are paid, which may delay distribution of other assets to the beneficiaries. In addition, the executor could be sued by the beneficiaries for incompetence and failure to fulfill his or her duties to distribute

The Most Common Situations of Using One

The most common situation when an affidavit of domicile is used occurs when the executor of an estate is responsible for settling an estate that includes securities. Some banks may also require this document, unless an estate account has been opened.

What Should the Affidavit Include?

A basic affidavit of domicile includes:

- The Name of the Deceased
- Their Address
- The Length of Time They Lived There
- The Date They Died
- The Probate Court with Jurisdiction
- Instructions for Transfer or Cashing of Securities

In situations where the decedent was a minor, mentally incompetent, residing in a nursing home, or otherwise lacking legal capacity, completing an affidavit of domicile can be more complicated and expert advice may be needed.

assets as per the terms of the will.