

**Sumner County Chancery Court
Clerk & Master's Office
100 Public Square, Room 400
Gallatin, TN 37066**

Affidavit For Small Estate Limited Letter Of Authority

Decedent must have lived in Sumner County for a minimum of six months.

Total Estate Value must be under \$50,000.00 (Excludes Real Property). If there is any real property that needs to be transferred out of decedent's name, you are not allowed to file a small estate.

Original Will must be filed with the affidavit. **The will is not being probated.** It must be filed into Court to support the affidavit.

There is a 45-day waiting period from the date of death for a small estate to be heard before the Court. You may request for the waiting period to be waived for good cause. Please submit a typed or handwritten letter outlining the specific needs/reasons for the 45-days to be waived. The Clerk & Master will determine if the waiting period will be waived after reviewing request.

All heirs must be listed on the affidavit. Please include complete mailing addresses. A competent adult that is not an heir may be allowed to serve as the Personal Representative, if all heirs have given their notarized consent in writing. Consents must be filed with the affidavit.

Affidavit must be signed in front of a Court Clerk or Notary.

Filing fee is \$150.50 – No personal checks are accepted. Please pay with money order, cashier's check, or business check, made payable to Sumner County Chancery Court. Credit/Debit cards are accepted (A fee of \$3 or 3% whichever is greater will be assessed when using a card). Sumner County Government does not benefit from this fee.

If Affiant(s) lives out of state, a Nonresident Fiduciary must be filed with the State of Tennessee. The Nonresident Certificate issued by the State of Tennessee must be filed into Court before the small estate can be heard. A copy of the application is available upon request.

Chancery Court
Sumner County
Gallatin, Tennessee

**AFFIDAVIT FOR SMALL
ESTATE LIMITED
LETTER OF AUTHORITY**

Case Number
20 _____

Page 1 of 2

IN RE:

, Deceased

The deceased, herein referred to as "Decedent", age _____, died on _____, _____ in _____ County, State of Tennessee Decedent's last residence was _____ County, Tennessee, as evidenced by a copy of the death certificate which is being filed with this affidavit.

_____ The Decedent left no Will.

_____ The Decedent left a Will which does not require administration by the Court, but is lodged for safekeeping.

The Decedent died **owning an interest in personal property**, including all life insurance policies payable to the Decedent's estate, not to exceed the aggregate statutory amount of \$50,000.00 as follows:

Items	Value	Location and Possession
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
Total Value	_____	

The Decedent left the following **unpaid debts at death** (Attached additional sheet if necessary):

Creditor	Amount	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

Bond must be posted in the amount of \$ _____.

Bond is excused:

Will lodged for safekeeping excuses affiant from making bond.

Affiant is the sole heir of the decedent's estate.

Each person who is an heir of the decedent is an adult and each has consented to waive the affiant's bond as evidenced by each heir's signed, acknowledged agreement to 'waive' bond which is filed along with this affidavit.

The following are the names and addresses of all heirs of the deceased which the affiant(s) is (are) obligated to notify at their last known address (Attach additional heirs on a separate sheet):

Name	Address	Age	Relationship
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Your affiant(s) is(are) willing to collect and preserve all assets of the estate, including the removal of any personal property from a property leased by the decedent and cancellation of insurance policies that are no longer applicable due to the decedent's death.

Your affiant(s) acknowledges that the decedent did not have an interest in any real property.

Your affiant(s) acknowledge liability to TennCare, if applicable, to the extent of the value of the personal property.

Your affiant(s) further acknowledges that the affiant and the sureties, if any, will automatically be discharged on the first anniversary of the filing of the affidavit.

Your affiant(s) further evidences by signature hereto that, subject to penalty of perjury, the information contained herein is not false or misleading and the affiant is not prohibited from filing affidavit because of having been sentenced to imprisonment in a penitentiary as set forth in § 40-20-115 or otherwise. The affiant is aware of and mindful of all duties imposed upon him in Tennessee Code Annotated §30-4-101 et seq.

Date: _____

Affiant

Affiant Address: _____

Telephone

Email

Sworn to and subscribed before me on _____.

My Commission Expires: _____.

Clerk or Notary Public

I, _____, Clerk for the Chancery Court of Sumner County, Tennessee, certify that this is a court of record; that this is a true, full and correct copy of the Affidavit for Small Estate Limited Letter of Authority filed in this Court; that this Affidavit is still in full force and effect as of this date; and that the original of this Affidavit is on file in the office of the Clerk and Master for Sumner County, Tennessee.

Date: _____

Clerk or Deputy Probate Clerk

Legal Authority: TCA §30-4-101 et seq.
7/1/2022

Note: Pursuant to Tennessee Code Annotated 30-4-104, every person indebted to the decedent's estate, having possession of any personal property belonging to the estate, or acting as registrar or transfer agent of any shares of stock, bonds, notes, or other evidence of ownership, indebtedness, or right belonging to the decedent's estate must be furnished with a copy of the affidavit by the affiant, duly certified by the clerk of the court. Upon receipt of the copy of the affidavit and demand of the affiant, each person furnished with a copy of the affidavit shall pay, transfer, and deliver to the affiant: 1) all indebtedness owing by the recipient and other property in possession of or subject to registration or transfer by the recipient.

**FILE NON-RESIDENT FORM WITH THE STATE OF
TENNESSEE ONLY IF YOU LIVE OUT OF THE STATE OF
TENNESSEE.**

**SEND FORM AND \$10.00 FEE TO THE STATE OF
TENNESSEE:**

**STATE OF TENNESSEE
NON-RESIDENT FIDUCIARY UNIT
312 EIGHTH AVENUE NO., 6TH FLOOR
WILLIAM R. SNODGRASS TOWER
NASHVILLE TN 37243
615-741-0531**

State of Tennessee



Department of State
312 Eighth Avenue North
6th Floor, William R. Snodgrass Building
Nashville, TN 37243-0306

AGENT APPOINTMENT BY
NONRESIDENT FIDUCIARY

For Office Use Only

APPOINTMENT OF TENNESSEE SECRETARY OF STATE AS AGENT FOR
SERVICE OF PROCESS FOR NONRESIDENT FIDUCIARY
PURSUANT TO TCA §35-50-107

The undersigned, _____, a nonresident person, bank or trust company, wishing to act as a fiduciary in the State of Tennessee in conformity with the laws thereof, hereby appoints the Secretary of State of the State of Tennessee as the undersigned's agent for service of process.

All process in any suit or proceeding against the undersigned may be served upon the Tennessee Secretary of State in any action or proceeding relating to any trust, estate or matter within this State in respect of which the undersigned is acting in a fiduciary capacity.

The undersigned agrees that any process against the undersigned, which is served upon the Tennessee Secretary of State, shall be of the same legal force and validity as if served on the undersigned.

It is understood that this appointment shall continue for as long as any liability shall remain outstanding against the undersigned pertaining to any such matters.

The specific trust, estate or person for which the undersigned has been appointed as fiduciary is:

The street address (including zip code) of the undersigned (to which all copies of legal process should be addressed) is:

Executed this _____ day of _____, _____.

(signature)

Filing Fee \$10.00