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## **Transfer on Death Deed Information Sheet**

**The following documents are required when submitting a Transfer on Death Deed for recording:**

1. Transfer on Death Deed
  - a. These forms can be attained through small business supply stores or by contacting an attorney's office.
  - b. Document must be legible and at least size 10 font.
  - c. This document must be dated.
  - d. Signatures must be original.
  - e. Addresses for all parties must be listed on the first page.
  - f. Grantor(s) must sign before a notary. Notarial acknowledgement must be complete and meet NYS guidelines for recording. Notary stamp contain location of commission and expiration date.
  - g. A Township must be included with one of the following:
    - i. Property Address
    - ii. Tax Parcel ID
    - iii. Schedule A: Metes & Bounds
  - h. Document must be witnessed by two (2) people.
  - i. Record & Return to must be on the document. Please also include a self-addressed stamped envelope or an additional \$1.00 for postage so that we may return the original document.

### **Fees:**

Base Fee	\$45.00
Per Page Fee	\$5.00

See our Payment for Services Policy for acceptable forms of payment.

### **\*\*NOTICE\*\***

Please note that it is the responsibility of the Jefferson County Clerk's office to check for completeness and not for accuracy. To ensure that everything that you are submitting is legal and accurate we recommend that you seek the advice of an attorney.

While there seems to be overwhelming consensus among real property attorneys and other land tile professionals that the newly created Transfer on Death Deeds do not require transfer documents such as the NYS TP-584, and RP-5217, it must be noted that as of this date, there has been no guidance on this issue from either the New York State Department of Taxation, or the NYS Office of Real Property Services.

As a ministerial executive officer, this Office—performing its duties as County Register—lacks the legal authority to impose filing requirements which are not specifically supported by statute or administrative rule. Additionally, it has been the long-standing policy and practice of the Office of the Jefferson County Clerk that we will not substitute our legal judgement for the legal judgment of attorneys representing the parties to a transaction.

Therefore, until and unless the New York State Department of Taxation, and/or the NYS Office of Real Property Services specifically mandate to the contrary, a Transfer on Death Deed presented for recording will be processed as follows:

- A Transfer on Death Deed will be Recorded as Deed – TODD. At this time a TP-584 & RP-5217 is NOT required, and a Notice of Transfer will not be mailed, as this document is not presently changing ownership of the property.