

California Small Estate Asset Worksheet (2026)

Total the gross estate under Probate Code 13050, test it against the \$208,850 limit and pick the right route for any real estate

Probate Code section 13100 lets a successor collect a decedent's personal property by affidavit or declaration when the gross value of the decedent's California property, after the section 13050 exclusions, is \$208,850 or less (deaths on or after April 1, 2025; \$184,500 for deaths from April 1, 2022 to March 31, 2025). Values are GROSS: do not subtract mortgages or loans.

Part 1: Basic facts

Decedent's full name: _____

Date and place of death: _____

Day 40 after death (earliest signing date): _____

Probate pending or ever conducted? (must be no, or PR consents in writing): _____

Will? (yes / no; successor = all beneficiaries under it, or heirs by intestacy): _____

Part 2: Assets that COUNT (gross value on the date of death)

List property in the decedent's sole name with no living beneficiary, plus the value of any California real estate the decedent owned alone. Real estate counts toward the limit even though this affidavit cannot transfer it.

Asset (bank, brokerage, belongings, money owed, real estate)	Holder / location	Gross value	Real estate?
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Home in a section 13151 petition? (if yes, leave it out of the total): _____

TOTAL countable gross estate (\$): _____

\$208,850 or less? (if no, see "over the limit" in the guide): _____

Part 3: Excluded under section 13050 (for your records)

Joint tenancy property, interests that ended at death, revocable trust property: _____

Vehicles, boats, mobilehomes, truck campers, floating homes registered with the state: _____

Unpaid salary or compensation (up to \$20,875) and military pay owed: _____

Accounts with a surviving owner or POD payee; life insurance and retirement benefits payable to a named person (not the estate): _____

Property passing to a surviving spouse (section 13500); real property outside California: _____

Part 4: Which real estate route fits?

Route	Limit	Key rule
Affidavit re real property of small value (DE-305, section 13200)	\$69,625 or less, all CA real estate	Six months after death; notarized; filed with superior court, then recorded
Petition to determine succession (DE-310, sections 13151, 13152, 13154)	Primary residence up to \$750,000	Deaths on/after April 1, 2025; probate referee appraisal; notice within five business days; court hearing
Joint tenancy or living trust	Left out of the count (section 13050)	Passes outside the estate; TOD property can transfer automatically (court Self-Help Guide)

Part 5: Medi-Cal check

Medi-Cal after age 55? (if yes or unsure: contact DHCS Estate Recovery first; Notice of Death due in 90 days): _____

Part 6: Successors

Name	Relationship / basis (will or intestacy)	Share	Signed?
_____	_____	_____	_____
_____	_____	_____	_____

Keep this worksheet. Under section 13109 you are personally liable for the decedent's unsecured debts, up to the fair market value of what you receive less liens; under section 13111 the personal representative can ask for the property back if someone else has a better right.

INSTRUCTIONS FOR USE

Figures verified in October 2026 against the California Probate Code and the Judicial Council section 890 list (Form DE-300). General information, not legal advice; amounts adjust every three years (next April 1, 2028). For advice on your situation, consult a licensed California attorney. Guide: clearlegaltips.com/california-small-estate-affidavit/