

# **Refusal of Letters to Surviving Spouse or Unmarried Minor Child(ren)**

## **General Information Handout**

473.090 RSMo.

A Refusal of Letters is one way to transfer ownership of a deceased person's property *without the issuance of "letters" of administration*. There are limits as to the value of the property that can be transferred under this process. Individuals who are unsure whether this is the appropriate way to proceed should contact an attorney of their choosing for advice.

### **Refusal of Letters to Surviving Spouse or Unmarried Minor Child(ren)**

Refusal of Letters to Surviving Spouse/Unmarried Minor Child(ren) is one way to transfer a decedent's property (personal property and/or real estate) to their surviving spouse or unmarried minor children.

#### Items Typically Needed:

- \$68.50 Filing Fee (non-refundable)
- Application for Refusal of Letters to Surviving Spouse/Minor Child
- Copy of decedent's Death Certificate

If real estate/real property is included within the application, please also provide:

- Drive-By Appraisal or Letter from a Realtor (on company letterhead and with signature) stating the value of the real estate (if any).

If the total amount of the assets exceeds \$24,000, please also provide:

- Copy of decedent's Income Tax Return for the last full calendar year preceding death.
- An affidavit detailing the surviving spouse's monthly expenses.

## DOUBLE CHECK YOUR APPLICATION

**Make sure that you completed the application in its entirety.**

Make sure all blanks are completed.

**Make sure description of the property includes the following information.**

**For example:**

- For Vehicles – Include the year, make and model, VIN, balance due on vehicle loan (if any), and the value of the vehicle.
- For Bank Accounts – Include the name of the bank, the last four digits of account number, and the balance (including any interest earned).
- For Stocks, Bonds, Mutual Funds – Include the name of the account, last four digits of the account/certificate number, number of shares, the value per share, and the total value.
- For Checks – Include the check number, date of the check, who the check is from, the amount of the check, and the name of the bank that the check is drawn on.
- For Real Property/Real Estate – Include the legal description of the property and the street address of the property.
- For Items in a Safe Deposit Box – List the contents of the safe deposit box.

**Filing the application and paying of the filing fee does not guarantee that the refusal of letters will be granted.** The statutory requirements must be met before an order of refusal can be issued. Applications are processed in the order received. Applicants who are not represented by an attorney in this matter will receive their response from the court via ordinary mail.

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