

Disposition of Personal Property w/o Administration

Estate
of:

Case
No:

Date:

§735.301, Florida Statutes, and Florida Probate Rule 5.420

The purpose of a disposition without administration proceeding is to reimburse a petitioner for the out-of-pocket expenses a petitioner incurs for preferred funeral or medical care expenses.

	Venue is proper (FL Res domiciled in county OR Non-res w/ prop in county) [733.101, 5.050]
	Certified Copy of Death Certificate [731.103(1), 5.171(a), 5.205(a)(4)]
	Verified Statement, Affidavit or Letter [see 731.104, 5.020(e), 5.406(b)]
	Value of all property [5.420(a)(1), (2)]
	Personal Property exempt under 732.402(1), Fla. Stat. (spouse or children only)
	Actual Funeral Expenses
	Preferred Funeral Expenses [733.707(b)]
	Preferred Medical Expenses of last 60 days of last illness [733.707(d)]
	Net non-exempt property
	Funeral and medical expenses equal or exceed the property to be distributed [735.301(1)]
	Is there a will? (Yes/none)
	If there is a will, has the original been filed? [732.901(1)]
	Is the funeral pre-paid or incurred after death? [733.707(b)]
	Did the person applying pay the bill and file proof, i.e., a receipt? [733.707(b)]
	Has the funeral bill been paid or is there a balance due on the bill? [733.707(b)]
	Is the applicant a person who qualifies for exempt property? [732.402(1)]
	Personal property (<= \$1000) exempt under Art. X, Sec. 4, Fla. Const. (to heirs)
	If there is a surviving spouse, has the spouse consented or been given notice? [731.201(21)]
	Anyone else who may need to receive notice or may be entitled to a distribution or may need to sign the petition? [731.201(2), (18), (21), 5.420(b)]

Person Applying	Relationship