

Homestead Determination in Formal Administration

Estate of _____
 Case No.: _____
 Date: _____
 Attorney: _____

	Inventory [733.604, 5.340(a)]
	Legal description of property [5.405(b)(4)]
	List surviving spouse & lineal heirs, incl dob if any minors [5.405(b)(3)]
	Statement: Property inside or outside of a municipality [Fla. Const. Art. X, §4(a)(1)]
	State actual acreage (not just "less than ½ acre") [Fla. Const. Art. X, § 4(a)(1)]
	Verified petition [731.104, 5.020(e), 5.405(b)]
	Court has jurisdiction over parties ["Homestead Made Easy," Rohan Kelly, <u>The Fla. Bar Journal</u> , Jul/Aug 1995, Pg 56, 57.], either consent or formal notice, [733.212(1)(d), 5.040]
	3 months have passed after publication [<i>See</i> 733.2121(1), 733.702(1)]
	Statement regarding creditors filed [5.241(d)]
	Notice to beneficiaries and creditors [5.041, <i>see</i> 731.201(2), (21)]
	Notice to Creditors to AHCA (dec >= 55 yrs old) [733.2121(3)(d), 5.241(a)]
	Notice to Creditors or Inventory to DOR [733.2121(3)(e)]
	Non-tax Affidavit OR FL and Federal Tax Closing Letters filed [198.26, 198.32]
	Order correctly reflects title to beneficiaries [5.405(c)]
	If testate, will does not direct sale – becomes non-exempt [Price 513//767; Knadle 686//631]

Beneficiaries	Creditors
_____	_____
_____	_____
_____	_____
_____	_____

COMMENTS: _____

RECOMMENDATION: _____
