

Homestead - Summary Administration

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

Checklist

	Legal description of property (street address is not sufficient) [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)] (not an issue of the property is ½ acre or less; separate letter from attorney or affidavit is okay)
	State actual acreage (not just “less than ½ acre”) [Fla. Const. Art. X, § 4(a)(1)] (for example 100' x 100', ½ acre = 21,000 sq feet; use metes & bounds description if there is one)
	Petition is verified [731.104, 5.020(e), 5.405(b)]
	Court has jurisdiction over parties [”Homestead Made Easy - Part3a,” Rohan Kelly, <i>Fla. Bar Journal</i> , Jul/Aug 1995, pp 56, 57, either consents filed or formal notice given] [733.212(1)(d), 735.203(3)]
	Claims barred [733.710] OR sum admin petition alleges there are no creditors [5.040, 5.530(3)]
	Or Notice to creditors, if any [5.041]
	Order correctly reflects title to beneficiaries [5.405(c)]
	Order does not direct personal representative to surrender property (no PR in summary admin)

Beneficiaries	Creditors

Comments:

Recommendation:

