

KNOW YOUR FEES

RECORDER'S OFFICE

Standard Recording Fees
\$39 for the first two pages
and \$8 per page thereafter

PROBATE COURT

Fees may vary starting
at \$84.50

ATTORNEY

Charges may vary when hiring an
attorney to file a claim in
Probate Court on your behalf.
Approx. \$750 - \$2500



BENEFITS OF AVOIDING PROBATE:

REDUCES COSTS

SAVES TIME

ENSURES PRIVACY

COMPLIES WITH THE
HOMEOWNER'S WISHES



LORI KENNEDY

Montgomery County Recorder

Montgomery County Recorder's Office

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Hours of Operation:

8:00am - 4:00pm
Monday - Friday

Email:

mcrecorder@mcoho.org

Website:

www.mcrecorder.org



Follow our progress on social media.



TRANSFER ON DEATH (TOD) DESIGNATION AFFIDAVIT

TAKE ACTION IN PROTECTING
THE FUTURE
OF YOUR PROPERTY

What is a TOD?

A TOD is a Transfer on Death designation document that allows you, the property owner, to designate a beneficiary of your real estate property.

What does the TOD do?

The TOD names the beneficiary of your property. It has no effect on ownership until you die. The benefit of recording a TOD is to spare the beneficiary from going through Probate Court to have the property put in their name.

Can a TOD be revoked?

Yes. A TOD designation can be revoked or changed at any time before your death without the consent of the death beneficiary.

What types of properties are covered by a TOD?

TODs recorded in the Montgomery County Recorder's Office cover real estate property located within Montgomery County. This includes: residential, commercial, industrial, and agricultural.

How do I go about recording a TOD?

A TOD form can be acquired from the Montgomery County Recorder's Office. Forms are available in the office for pickup or can be printed from mcrecorder.org. Complete the TOD form and have it signed in front of a valid notary. Once the document is complete*, it can be recorded in our office for the standard recording fees.

What does the beneficiary need to do after my death to take ownership?

The beneficiary does not automatically take ownership upon your death. They must record an Affidavit of Confirmation (AOC) along with a copy of your death certificate.

AOC forms can be acquired from the Montgomery County Recorder's Office. Forms are available in the office for pickup or can be printed from mcrecorder.org. Once the form is complete* and signed in front of a valid notary, it can be recorded in our office for the standard recording fees.

What if I sell the property after recording a TOD?

If you sell your property while there is a TOD on record, the new Deed changing ownership will override the TOD without it needing to be revoked. The original beneficiary will now have no interest in your property when you die.

* The Recorder's Office is not permitted to give legal advice or assist in the completion of the forms provided.



**PROTECTING THE FUTURE
OF YOUR PROPERTY**