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# Transfer on Death (TOD) Deed

Free form. Use this form to create a transfer on death (TOD) deed, also called a beneficiary deed, to name someone to inherit your house without probate.

Use the RTF (word processing format) if you need to make changes to the form before filling it out, such as adding additional room for legal description, additional names of signatories, or additional details. Be aware that the language in the TOD deed is defined by Cal Probate Code 5642 and must be “substantially” identical to the language in our form. Changing the language on the form is likely to affect its validity and enforceability.

## **Disclaimer!**

These forms have been adapted from California statutes and highly-regarded practice guides to fit common situations. The law librarians have attempted to provide instructions, definitions, and examples to assist non-lawyers in understanding the purpose of the form, and what type of information to include when filling it out.

However, only lawyers (attorneys) can advise you of the correct forms for your particular situation, and what specific information to include on your forms.

It is your responsibility to determine whether this form is suited to your needs. If you have questions about what form to use, or how to fill them out, visit your local law library to do your own legal research, or consult a lawyer.