



Ohio Department of TAXATION

Estate Tax Division
1 (800) 977-7711
www.ohio.gov/tax

Estate Tax Form 12
Revised 7/03

Application for Consent to Transfer Property or Other Interest
of a Resident Decedent (O.R.C. 5731.39)

File this form with the County Auditor together with completed tax release(s) (Estate Tax Form 14).

Form with fields for Name of decedent, Date of death, Address, County of residence, Social security number, Case number, and a table for property description and value.

This application will not be processed unless sections a through e are completed in their entirety. The beneficiary or legal representative should complete these sections before it is submitted to the County Auditor.

Necessary Accompanying Documents

- 1. Completed tax releases (Estate Tax Form 14) for each institution.
2. Exhibit letters of Probate Court appointment upon first application.
3. Savings passbooks and certificates must be presented with this application.
4. For joint and survivorship property, give name and relationship of survivor to decedent.
5. For P.O.D. accounts, present passbook and letter from bank giving name of undisclosed beneficiary and relationship to decedent.

a. Is the decedent's estate in the process of administration?

Yes No

b. Name and address of estate representative:

c. Name and address of attorney representing estate:

d. The **gross value** of all property held in the decedent's name alone or owned jointly by decedent at death or transferred by the decedent prior to death; including, but not limited to: real estate; cash; automobiles; household goods; insurance payable to an estate, pension plans and annuities payable after death including IRA and Keogh plans (check according to date of death):

D.O.D. on or after January 1, 2002

Over \$338,333 Under \$338,333

D.O.D. on or after January 1, 2001 thru December 31, 2001

Over \$200,000 Under \$200,000

D.O.D. on or after June 30, 1983 thru December 31, 2000

Over \$25,000 Under \$25,000

Note: If the gross taxable estate is less than **\$25,000, \$200,000 or \$338,333** on the applicable date of death, no estate tax return is required to be filed.

e.

I hereby certify that all statements made are correct to the best of my knowledge and belief.

(Please provide name, address and telephone number of person filing this application.)

Signature and title of applicant
(Executor, administrator, survivor or attorney for same)

Address

City, state, ZIP code

Telephone number

Date submitted _____

Instructions for Completing Estate Tax Form 12

Note: A consent to transfer is not required for funds on deposit if the only beneficiary is the surviving spouse. Effective January 1, 2001, pursuant to the Tax Commissioner's authorization, a consent to transfer is not required for funds on deposit if the amount is \$25,000 or less per account.

If a release is required, follow these instructions.

A. Bank accounts and funds on deposit, including IRAs and Keogh plans, in a savings and loan association or other banking institution – **provide the following:**

1. Name of institution
2. Amount on deposit as per last entry prior to death and date of last entry
3. Type of account
4. Identifying number and the manner in which the fund is registered

Bank books and certificates of deposit **must** accompany this application.

In the case of commercial accounts, the fiduciary should present the bookkeeping statement of the bank showing the balance on date of death less honored checks drawn by decedent prior to death. In the case of P.O.D. accounts, when the passbook fails to disclose the name of the beneficiary, a letter from the bank should accompany the passbook giving this date.

B. Stocks/Bonds – provide the following:

1. Total number of shares or denomination of bonds
2. Rate of interest and due date
3. Type and the manner in which they are registered, if registered other than solely in name of decedent

It shall be assumed that all stocks are common unless otherwise indicated.

General Information

File this form with the County Auditor together with completed tax release(s) (Estate Tax Form 14).

O.R.C. Section 5731.39 provides a penalty of the amount of the tax and up to \$5,000 if a corporation, safe-deposit box company, bank, savings and loan association, trust company or similar institution transfers more than a three-fourths interest in property belonging to or standing in the name or joint name of a decedent or in trust for a decedent without obtaining a Consent to Transfer from the Tax Commissioner. It is necessary for such institutions to request a Consent to Transfer for the entire amount of any such interest prior to final transfer from the decedent's name. The County Auditor is the Tax Commissioner's agent for these purposes.

The fact that a Consent to Transfer is issued does not in itself establish tax liability nor does it relieve from tax liability. Tax

liability on any property transferred will be determined by the Tax Commissioner upon audit of the estate tax return. An estate tax return may be required to be filed pursuant to O.R.C. Section 5731.21. Failure to timely file may subject the taxpayer to a penalty pursuant to O.R.C. Section 5731.22.

The tax release Estate Tax Form 14 must accompany this form to obtain a release. Since the tax release, Estate Tax Form 14, will reflect only the last entry balance posted prior to death, this entry may or may not reflect the entire date of death value with the accrued interest due.