

# AFFIDAVIT OF ENTITLEMENT INSTRUCTIONS (TL-106)

Read instructions carefully to complete this form

**ATTENTION: THIS FORM IS TO BE USED ONLY TO TAKE OWNERSHIP OF THE STRUCTURE PURSUANT TO NRS 146.080, NRS 134, NRS 133 and NRS 136. TO COMPLETE THE TRANSFER OF OWNERSHIP, AFFIANT WILL BE REQUIRED TO COMPLETE ADDITIONAL DOCUMENTS/FORMS WITH THE NEVADA HOUSING DIVISION INCLUDING BUT NOT LIMITED TO AN APPLICATION FOR TITLE (TL-100) OR COMPLETION OF THE TRANSFER BY FILLING OUT THE BACK OF THE EXISTING CERTIFICATE OF OWNERSHIP.**

**There is a \$40 fee for EACH change of ownership or duplicate. Make checks or money orders payable to Nevada Housing Division.**

- The Division prefers to have both email address and phone number to contact you in case there are some corrections needed after your paperwork was submitted to the Division. If you do not have both email address and phone number, one or the other **MUST** be provided.

## SECTION 1. DESCRIPTION OF THE STRUCTURE

The information required for Section 5 (Manufacturer, Model, Year, Serial#, and Size) can be found on our website:

<https://nvmhdprod.glsuite.us/GLSuiteWeb/Clients/NVMHD/Private/TitleSearch/TitleSearch.aspx>

- Title records can be found by structure serial number, owner name or address. **(The easiest way to find a title record will be by serial number.)**

## SECTION 2. STATEMENT OF VALUE, INTERESTS, AND DEBTS IN HOME

Affiant is acknowledging an understanding of the requirements of NRS 146.080 regarding the status of the Decedent's estate including:

- The decedent is leaving **NO Real Property** or any Interests in Real Property anywhere in Nevada
- The total appraised value of the Decedent's estate does **NOT exceed \$25,000** (If Affiant is claiming entitlement to more than one manufactured home owned by the decedent, the total value of ALL homes must not exceed the \$25,000 cap even though a separate Affidavit of Entitlement is filed for each separate manufactured home). **If the estate exceeds \$25,000 in value, an Affidavit of Entitlement will not be accepted as State Law requires the estate to be entered into Probate**
- There are **NO Liens or Mortgage** interests filed upon the home
- If Affiant is a surviving spouse, the appraised value of the Decedent's home/s may not exceed **\$100,000** (If Affiant, as a surviving spouse is claiming entitlement to more than one manufactured home owned by the decedent, the total value of ALL homes must not exceed the \$100,000 cap even though a separate Affidavit of Entitlement is filed for each separate manufactured home.) **If the estate of Affiant's deceased spouse exceeds \$100,000 in value an Affidavit of Entitlement will not be accepted as State Law requires the estate to be entered into probate**
- **NO petition for the appointment of a personal representative is pending or has been granted in any jurisdiction**
- **All Debts** of the decedent, including funeral and burial expenses and money owed to the Department of Health and Human Services or the Department of Human Resources as a result of the payment of benefits for Medicaid have been paid within the county where the home is physically located

## SECTION 3. WRITTEN NOTICE

- The Affiant must give written notice, identifying the Affiant's claim and describing the property claimed by **Address, Serial Number and Title Number**, to every person who's right to succeed to the decedent's property (see NRS 134- Succession) is equal or superior to that of the Affiant and that at least 14 days have elapsed since the notice was served.

**SECTION 4. AFFIANT CLAIM TO OWNERSHIP AND UNDERSTANDING OF NRS 146.080, NRS 134, NRS 133, and NRS 136**

**THE AFFIANT ACKNOWLEDGES AN UNDERSTANDING THAT FILING A FALSE AFFIDAVIT CONSTITUTES A FELONY IN THIS STATE.**

**NRS 146.080, Subsection 3**

***“If the Affiant:***

***(a) Submits an affidavit which does not meet the requirements of subsection 2 or which contains statements which are not entirely true, any money or property the affiant receives is subject to all debts of the decedent.***

***(b) Fails to give notice to other successors as required by subsection 2, any money or property the affiant receives is held by the affiant in trust for all other successors who have an interest in the property.”***

Affiant states that he/she is entitled, pursuant to the provisions of **NRS 146.080, NRS 134 – Succession or NRS 133 – Wills** (See **NRS 136 – Probate of Wills** in Nevada if a Valid Will exists) to succeed to the title of decedent’s manufactured home and that it be transferred to Affiant for the following reason: (State reason and relationship to decedent). **NRS 134 - Succession** outlines the State Laws of Succession generally requiring the property to be distributed to living relatives, thus requiring the applicant for an Affidavit of Entitlement to be related to the Decedent. **NRS 133 - Wills** outlines the criteria for a “Valid” Will and **NRS 136** outlines Probate of Wills in Nevada.

**SECTION 5. STATEMENT OF DECEDENT BY AFFIANT**

- The Affiant is the person claiming ownership of the Decedent’s home. The Affiant’s name is to be written as the person giving sworn affidavit as to the Name of the Decedent (Owner of the home).
- Relationship to the decedent.
- **“Percentage Claimed”** refers to the portion or percent of interest by each Affiant if there is more than one Affiant.
- Affiant’s Mailing Address.
- Date (Day, Month, Year) and Location (City, County, State) of the Decedent’s death.

**SECTION 6. SIGNATURES AND NOTARIZATION (Do not sign until in front of a Notary)**

- Affiant must provide a certified Death Certificate of the Decedent
- A minimum of 40 days must have elapsed since the death of the Decedent before this Affidavit may be signed and notarized and submitted to the Nevada Housing Division
- The Affiant must sign in front of a Notary and provide Affiant’s **Address, City, State, and Zip Code**
- **IMPORTANT NOTICE:** Affiant’s signature functions as an Affidavit defined for the purposes of this Affidavit of Entitlement to be a written statement confirmed by oath and affirmation that Affiant has properly executed the requirements of **NRS 146.080** and related **NRS 134 – Succession** and **NRS – 133 Wills**, and **NRS 136 – Probate of Wills** in Nevada, **which may be used as evidence in a court of law**
- The Affiant’s signature must be written in front of a notary. This section is for the notary to complete, sign and stamp.

**SECTION 7. COUNTY ENDORSEMENT**

Obtain the signature of the County Assessor, in which the structure is located, indicating taxes are paid current for the current tax year. The fiscal calendar year starts on July 1<sup>st</sup> and ends June 30<sup>th</sup> of each year. Starting **July 1<sup>st</sup>** of each year, we will not accept any documents signed by the County Assessor prior to that date.

**AFFIDAVIT OF ENTITLEMENT (TL-106)**

**NRS 146.080**

**To be used for death occurring after 10/1/2015**

Affiant Email Address (Required): \_\_\_\_\_

Affiant Phone Number (Required): \_\_\_\_\_

**SECTION 1. DESCRIPTION OF THE STRUCTURE**

Year: \_\_\_\_\_ Manufacturer: \_\_\_\_\_ Model: \_\_\_\_\_

Serial #: \_\_\_\_\_ Size: \_\_\_\_\_

Physical Location: \_\_\_\_\_

**SECTION 2. STATEMENT OF VALUE, INTERESTS, AND DEBTS IN HOME**

**Leaving No Real Property** or interest therein, nor lien thereon, situated in the State of Nevada. That the total gross value of the decedent's property, situated in the State of Nevada, except amounts due to the decedent for services in the Armed Forces of the United States, does not exceed **\$25,000**, and that the estate **Does Not include any real property** nor interest therein nor **Mortgage or Lien thereon**. If the transfer is to a surviving spouse, the estate must not exceed **\$100,000**. That **No** petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.

**All Debts** of the decedent, including funeral and burial expenses and money owed to the Department of Health and Human Services or the Department of Human Resources as a result of the payment of benefits for Medicaid have been paid or provided for within the County where the home is physically located.

**SECTION 3. WRITTEN NOTICE**

That the Affiant has given written notice, identifying the Affiant's claim and describing the property claimed **by Address, Serial Number and Title Number**, to every person who's right to succeed to the decedent's property (See **NRS 134 – Succession**) is equal or superior to that of the Affiant and that at least 14 days have elapsed since the notice was served.

That the Affiant is personally entitled, or the Department of Health and Human Services or the Department of Human Resources is entitled, to full payment or delivery of the property claimed or is entitled to payment or delivery on behalf of and with the written authority of all other successors who have an interest in the property.

**SECTION 4. AFFIANT CLAIM TO OWNERSHIP AND UNDERSTANDING OF NRS 146.080, NRS 134, NRS 133 and NRS 136**

**THE AFFIANT ACKNOWLEDGES AN UNDERSTANDING THAT FILING A FALSE AFFIDAVIT CONSTITUTES A FELONY IN THIS STATE.**

Affiant states that he/she is entitled, pursuant to the provisions of **NRS 146.080** and **NRS 134 – Succession** to succeed to the Certificate of Ownership of decedent's manufactured home and that it be transferred to Affiant for the following reason: (State reasons) See **NRS 134 – SUCCESSION** if Decedent died Intestate, or **NRS 133 – WILLS** and **NRS 136** Probate of Wills in Nevada if Decedent left a Valid Will.

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**SECTION 5. STATEMENT OF DECEDENT BY AFFIANT**

Affiant(s): \_\_\_\_\_

Relationship to the Decedent: \_\_\_\_\_

Percentage Claimed by Each Affiant:

Affiant – 1 \_\_\_\_\_%    Affiant – 2 \_\_\_\_\_%    Affiant – 3 \_\_\_\_\_%    Affiant – 4 \_\_\_\_\_%

Mailing Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Who, after being duly sworn, states and deposes as follows:

That on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,

Decedent: \_\_\_\_\_  
(Name of Decedent)

Died in, \_\_\_\_\_  
(City) (County) (State)

**The statements and declarations herein contained are for the specific purpose of inducing said Division to issue a Certificate of Ownership; that (I, we) shall and will assume, fully pay, satisfy and discharge any and all liens, claims or encumbrances disclosed herein or any others that may be shown or proved to be upon or against said structure and indemnify and hold harmless said Division and the State of Nevada on account of the issuance of said Certificate of Ownership on said structure as aforesaid.**

**SECTION 6. SIGNATURES AND NOTARIZATION (Do not sign until in front of a Notary)**

Affiant finally states that at least **forty (40) days** have elapsed since the death of the decedent as shown in a certified copy of the certificate of death of the decedent attached to the affidavit.

\_\_\_\_\_  
Signature of Affiant – 1

\_\_\_\_\_  
Signature of Affiant – 3

\_\_\_\_\_  
Signature of Affiant – 2

\_\_\_\_\_  
Signature of Affiant - 4

**For Notary use only**

State of \_\_\_\_\_ County \_\_\_\_\_

State of \_\_\_\_\_ County \_\_\_\_\_

Subscribed and sworn to before me,

Subscribed and sworn to before me,

\_\_\_\_\_  
(Name of Notary Public)

\_\_\_\_\_  
(Name of Notary Public)

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

by \_\_\_\_\_

by \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Printed name of party appearing before Notary)

(Printed name of party appearing before Notary)

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Notary Stamp or Seal

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Notary Stamp or Seal

**SECTION 7. COUNTY ENDORSEMENT**

**WARNING - Endorsement required by county assessor where structure is situated that all taxes have been paid before title can be transferred.**

\_\_\_\_\_  
Signature of County Assessor      Date: \_\_\_\_\_ For Tax Year \_\_\_\_\_