

PROBATE TAX RETURN (CONFIDENTIAL)

Court File No.

COMMONWEALTH OF VIRGINIA VA. CODE §§ 58.1-1713, -1714

This return must be filed with the Clerk of Circuit Court at the time a will is offered for probate or the grant of administration is sought in such court when the estate exceeds fifteen thousand dollars (\$15,000) in value.

Circuit Court of

Decedent's name

Residence address at death (street, city, state)
.....

Date of birth Date and place of death

VALUE OF DECEDENT'S PROBATE ESTATE

(a) Personal Property \$

(b) Real Property Located in Virginia \$

TOTAL VALUE OF DECEDENT'S PROBATE ESTATE \$

I (we), the undersigned, declare under penalty of law that I (we) have examined this Return and to the best of my (our) belief it is a true, correct, and complete Return.

.....
DATE

SIGNATURE OF PERSON OFFERING WILL FOR PROBATE OR SEEKING GRANT OF ADMINISTRATION

Mailing Address:

.....
DATE

SIGNATURE OF ADDITIONAL PERSON SEEKING GRANT OF ADMINISTRATION

Mailing Address:

INSTRUCTIONS

GENERAL. The probate tax is not an inheritance tax or an estate tax. It is a tax imposed on the probate of every will or grant of administration on every estate that exceeds fifteen thousand dollars (\$15,000). The state probate tax rate is 10¢ for every \$100, or fraction thereof, of the value of the decedent's estate. No one is permitted to qualify as executor or administrator until this tax is paid. Cities and counties are permitted to impose a probate tax in an amount equal to one-third of the state tax.

WHAT'S INCLUDED. The tax is imposed on the decedent's probate estate. Thus, do not include (i) any property that the decedent owned with another with the right of survivorship, (ii) life insurance unless it is payable to the decedent's estate, (iii) real estate transferred by a transfer on death deed, or (iv) any other property passing by contract or beneficiary designation from the decedent to another person. In addition, you should not include any of the decedent's real estate located in another state.

VALUATION METHOD. Because of the difficulty in determining exact values at the time of probate or qualification, the Clerk will accept a reasonable estimate of the value of the decedent's personal property. You should try to be as accurate as possible when making your estimate in order to eliminate the need to return to the Clerk's Office and pay additional tax and/or increase your bond at a later time. If you do not know the actual value of the decedent's real property, you may use its assessed value for local real estate tax purposes.

VALUATION DATE. All property is to be valued as of the date of the decedent's death.