

NEW YORK COUNTY SURROGATE'S COURT

31 Chambers St • New York, NY 10007 • Monday-Friday, 9am-5pm • nycourts.gov/forms/surrogates

Has the Police Dept sealed your deceased loved one's residence or invoiced property?

What you will need and which offices can help you access the residence and retrieve the property

- a.** **If** • The value of the estate is \$30,000 or less [*see ▼*] **and**
- There is no Will and you are a distributee/heir [*see ■*] **or**
 - There is an original Will and you are named in it:

Administration Dept • Room 505 • (646) 386-5005
Application: [Small Estates/Voluntary Administration](#)
(*see Voluntary Administration Checklist or DIY Form*)

Necessary documents:

- Original certified death certificate (cannot be returned)
- Original Will, if any
- Copy of [police property clerk](#) invoice(s), if any

- b.** **If** • The value of the estate is more than \$30,000 [*▼*] **and**
- There is no Will and you are a distributee/heir [*■*]:

Administration Dept • Room 505 • (646) 386-5005
Application: [Petition for Letters of Administration](#)
(*see Administration Proceeding Checklist*)

Necessary documents:

- Original certified death certificate (cannot be returned)
- Copy of [police property clerk](#) invoice(s), if any

- c.** **If** • The value of the estate is more than \$30,000 [*▼*] **and**
- There is a Will and you are named in it:

Probate Dept • Room 504 • (646) 386-5004
Application: [Petition for Probate](#)
(*see Probate Proceeding Checklist*)

Necessary documents:

- Original certified death certificate (cannot be returned)
- Decedent's Will

d. **If** • You need to search the sealed residence for a Will, insurance policy, cemetery deed, or to see what is inside (inventory), the court may issue an order permitting temporary access to the residence with a police officer present; nothing can be removed other than the 3 items mentioned above [*death certificate not required; see below*]:

Miscellaneous Dept • Room 507 • (646) 386-5001
Application: Petition to Search Premises

Necessary document: Copy of death certificate or police dept, medical examiner or funeral home issued paper(s) indicating decedent's date of death & address

e. **If** • You are not a distributee/heir **and** do not know of a Will **and** there is no one else willing or able to administer the estate **or** there are no known distributees, the Public Administrator may be able to access the residence, retrieve invoiced property, and distribute it to those persons entitled to it under law.

Public Administrator of New York County • Room 311 • (212) 788-8430 • nycountypa.com

- ▼ What counts as part of the estate?** Decedent's property/assets without a joint owner or named beneficiary.
- Who are the distributees/heirs?** (*Nearest group only, in order*) **1st:** spouse, children, children of predeceased children **2nd:** parents **3rd:** siblings, children of predeceased siblings **4th:** grandparents **5th:** aunts-uncles, children of predeceased aunts-uncles (first cousins) **6th:** children of predeceased first cousins (first cousins once removed).

• **How to file the application:** In person (recommended) or by messenger before 3:30pm, or by mail.

• **What you will receive when your application ([a], [b] or [c] above) is complete:**

Certificates or Letters authorizing you to retrieve the property and get unrestricted access to the residence.