

States that allow transfer on death deeds

As of January 2023, these 31 states allow transfer-on-death deeds:

- Alaska
- Arizona
- Arkansas
- California
- Colorado
- District of Columbia
- Hawaii
- Illinois
- Indiana
- Kansas
- Maine
- Michigan (a Ladybird Deed, formerly called an enhanced life estate, achieves similar)
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- New Mexico

- North Dakota
- Ohio
- Oklahoma
- Oregon
- South Dakota
- Texas
- Utah
- Virginia
- Washington
- West Virginia
- Wisconsin
- Wyoming

If your state isn't listed above, you may want to consider [putting your house in a trust](#).

How to get a transfer on death deed

States that allow a transfer on death deed will often provide a free deed template for homeowners to use. You can check your state or county website to see if they offer a downloadable form.

These are the steps you need to take to complete a transfer on death deed.

1. Complete the deed
2. Sign the deed
3. Find a notary if notarization is required by your state
4. File it with county recorder's office

Fill out the deed

To complete the deed you need some basic information like your name and personal information, a legal description of the property (single family home, for example), the beneficiary's full name, address, and relation to you.

Sign the deed

Just as with other legal papers, like real estate deeds and [estate planning documents](#), the TOD deed must be signed by the person who creates it (the transferor in this case). The beneficiary does not need to sign it. Some states may require you to notarize the deed as well.

→ [Learn how much notary fees cost in your state](#)

File it with county clerk

In order for the transfer on death deed to become valid, you must file it and record it with the proper local authority, like the county clerk or recorder's office. Your state may use other names for this department, like county office of land records and you may have to pay a small filing fee. **The deed is only valid if you record it.** If someone finds an unrecorded transfer on death deed with your belongings after you've died, it will not be valid.

Revoking a TOD deed

If you want to change or revoke a transfer on death deed, you can do so by filling a revocation. This is simply a written document that states you want to revoke the terms of the beneficiary deed you've already made. States may similarly include a revocation form for people to use, or include a sample in their statutes that you can copy. You must also file the revocation wherever you filed the original transfer on death deed.