

Establishing Legal Title, Interest or Form of Ownership

- (1) Effective July 18, 1995, The Legal Title to or other Interest of a Person in Real or Personal Property or other Assets shall be presumed to be that set forth in any Ownership Documents. The presumption raised by such Ownership Documents may be rebutted by Convincing Evidence that accurately reflects a Person's Legal Title to, ownership of or Interest in the Real or Personal Property or other Asset. However, the department shall not consider property or assets in which the decedent held only bare legal title in the capacity as a trustee with no beneficial, equitable, reversionary or other ownership Interest in the property or assets, as property or assets in which the decedent had an Interest or held Legal Title.
- (2) The form of Interest created by the Ownership Documents shall be governed by the law in effect at the Time of Death of the jurisdiction in which the Real or Personal Property or other Assets are located.

There are no previous rules dated January 1, 2014 or later.

This website displays unofficial previous administrative rule versions with an effective date of January 1, 2014 and after. For earlier administrative rule versions, submit a public records request to the [Secretary of State public records request website](#).