



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Probate Division	Case Number:
In the Estate of _____, Deceased.	

(Date File Stamp)

Application of Creditor for Refusal of Letters

Applicant states that Decedent died on _____ residing at _____, leaving no surviving spouse or unmarried minor children, that after giving credit for all payments and offsets to which the estate is entitled there is now due and owing Applicant, as a creditor of Decedent, the sum of \$_____, for (state nature of debt):_____.

The entire estate of Decedent does not exceed the value of \$15,000.00 and consists solely of personal property as described in Exhibit A.

Applicant further states that if this application is granted, Applicant will pay the debts of Decedent so far as the assets thereof will permit, in the order of preference established by law, and will distribute the balance of said estate, if any, to the persons entitled thereto under the law.

Wherefore, Applicant prays the court order no letters be granted on said estate in the amount of \$_____, unless on the application of creditors or other parties interested, the existence of other or further property is shown.

Applicant swears that the matters set forth above are true and correct to the best knowledge and belief of Applicant, subject to the penalties of making a false affidavit or declaration.

Date: _____

Signature of Attorney for Applicant

Signature of Applicant

(Name/Bar Number/Address/Telephone)

(Name/Address/Telephone)



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

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Exhibit A

Description of Property	Value
<u>Real Property</u> (N/A for Creditor's Refusal)	
<u>Personal Property</u>	
TOTAL: \$_____	



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Name:	Case Number:
Address:	Case Type:
	Style of Case:
Document Filed:	

(Date File Stamp)

Redaction Certification

The filer certifies that all documents in this submission for filing with the court comply with all redaction requirements of Rules 19.10, 55.025, or 84.015.

COR 2.02

The responsibility for redacting confidential information rests solely with the counsel, parties, or any other person filing the document. Courts will not review each case document to ensure compliance and will not refuse to accept or file a document on that basis.

On and after the Expanded Remote Access Implementation Date: July 1, 2023

1. All redactions shall be done in a manner that makes it clear that information has been redacted. If necessary to reference the redacted information in a redacted document, filers shall use generic descriptors.
2. When a filer redacts information from a document offered for filing in any court, the filer also must file a confidential redacted information filing sheet that either:
 - has the unredacted version of the document attached; or
 - sets out the information redacted from the document with an explanation referencing where the information was redacted from in the document or the generic descriptors used in the document to reference the redacted information.
3. All filers shall affirmatively certify compliance with the redaction requirements in Rules 19.10, 55.025, and 84.015 when a document is filed. This certification shall be accomplished through an automated process implemented in the electronic filing system for its authorized users or, for filers who are not authorized users of the electronic filing system, by a paper form attached to the document or on the document itself.
4. When a motion is filed alleging a document filed with the court contains insufficiently redacted confidential information, the clerk shall raise the document's security level to a confidential setting. The court shall dispose of the motion within 30 days. If the court determines the document is sufficiently redacted, the clerk shall reset the document's security level to allow for proper public access.

I HAVE READ AND UNDERSTAND THE ABOVE.

Date

Filer's Signature



1 of 1

Refusal of Letters to Creditor

General Information Handout

473.090 RSMo.

A Refusal of Letters is one way to transfer ownership of a deceased person's property *without the issuance of "letters" of administration*. There are limits as to the value of the property that can be transferred under this process. Individuals who are unsure whether this is the appropriate way to proceed should contact an attorney of their choosing for advice.

Refusal of Letters to Creditor

Refusal of Letters to Creditor can be used to transfer a decedent's personal property, valued at \$15,000 or less, to a creditor of the decedent, **if there is no surviving spouse and no surviving minor children**. A creditor includes any person who paid funeral expenses or other debts of the decedent. The creditor must file their application for refusal within one year of the decedent's date of death.

Items Typically Needed:

- ☐ \$55.50 Filing Fee (non-refundable)
- ☐ Application for Refusal of Letters to Creditor
- ☐ Copy of decedent's Death Certificate
- ☐ Evidence of the debt owed to the creditor. This could be a copy of a receipt, cancelled check, copy of bank statement, etc. showing payment was made by the creditor who is filing the application.
- ☐ Copy of receipt showing funeral expenses are paid in full. This is needed regardless of whether the applicant is the one who paid it (473.397 RSMo). If creditor is unable to provide proof that all funeral expenses have been paid, they must obtain bond in the amount of the assets (unless the creditor is the funeral home).

If the value of the assets exceeds the amount of the claim, please also obtain:

- ☐ A Corporate Surety Bond of Creditor equal to the difference between the creditor's claim and the value of the property is required when the value of the assets exceeds the amount of the claim. (Round up to the nearest hundred. For example, if the amount is \$2,322.80 round up to \$2,400.00)

DOUBLE CHECK YOUR APPLICATION

Make sure that you completed the application in its entirety.

Make sure all blanks are completed.

Make sure description of the property includes the following information.

For example:

- For Vehicles – Include the year, make and model, VIN, balance due on vehicle loan (if any), and the value of the vehicle.
- For Bank Accounts – Include the name of the bank, the last four digits of account number, and the balance (including any interest earned).
- For Stocks, Bonds, Mutual Funds – Include the name of the account, last four digits of the account/certificate number, number of shares, the value per share, and the total value.
- For Checks – Include the check number, date of the check, who the check is from, the amount of the check, and the name of the bank that the check is drawn on.
- For Items in a Safe Deposit Box – List the contents of the safe deposit box.

Filing the application and paying of the filing fee does not guarantee that the refusal of letters will be granted. The statutory requirements must be met before an order of refusal can be issued. Applications are processed in the order received. Applicants who are not represented by an attorney in this matter will receive their response from the court via ordinary mail.

Probate Department
16th Circuit Court of Jackson County
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Kansas City, MO 64106
816-881-3755
probate@courts.mo.gov

Probate Department
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