

# NEW YORK COUNTY SURROGATE'S COURT

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

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- a.**                      **If** •The value of the estate is \$50,000 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

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- b.**                      **If** •The value of the estate is more than \$50,000 [*▼*] **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

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- c.**                      **If** •The value of the estate is more than \$50,000 [*▼*] **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

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**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

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

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**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](http://nycountypa.com)

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- ▼ 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*) **1<sup>st</sup>:** spouse, children, children of predeceased children **2<sup>nd</sup>:** parents **3<sup>rd</sup>:** siblings, children of predeceased siblings **4<sup>th</sup>:** grandparents **5<sup>th</sup>:** aunts-uncles, children of predeceased aunts-uncles (first cousins) **6<sup>th</sup>:** 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.