IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT, IN AND FOR MIAMI-DADE COUNTY, FLORIDA PROBATE DIVISION IN RE: ESTATE OF _____ Deceased. Case No.: _____ Section: _____	**CC-08**

Checklist and Certification – Determination of Homestead (Formal)

I, _____, as the attorney of record, have reviewed the applicable checklist(s) on the 11th Judicial Circuit Court's website, and filed the following pleadings to the Clerk of Court's docket, for which I have written the docket entry number next to each of the corresponding requirements below:

Qualification:

☐ The real property being determined as the homestead of the decedent qualifies under Article X, §4 of the Florida Constitution.
☐ The devise/descent of the real property is in accordance with the restrictions of Article X, §4 of the Florida Constitution, Fla. Stat. §732.401, and Fla. Stat. §732.4015.

Petition for Homestead:

_____ ☐ Petition for Determination of Homestead - Fla. Prob. R. 5.405
_____ ☐ Notarized Waivers and Consents to Petition OR Proof of Formal Notice to all interested persons* – Fla. Prob. R. 5.041; Fla. Stat. 731.201(23) (*Including: all known creditors and claimants, and all beneficiaries who would inherit but for Fla. Stat. §732.401.)

Supporting Documents:

_____ ☐ Copy of Property Tax or Utility bill with decedent's name (from the last year decedent resided on the property)

Required Filings:

_____ ☐ Order Appointing Personal Representative and Letters of Administration have been previously entered
_____ ☐ Inventory has been filed– Fla. Stat. §733.604; Fla. Prob. R. 5.340
_____ ☐ Proof of Service of Notice of Administration - Fla. Prob. R. 5.240
_____ ☐ Proof of Publication of Notice to Creditors has been filed and the publication period has ended. – Fla. Stat. §733.2121
_____ ☐ Proof of Service of Notice to Creditors to AHCA (if decedent was over 55 years old) – Fla. Stat. §733.2121(d)
_____ ☐ Verified Statement Regarding Creditors – Fla. Prob. R. 5.241(d)
OR
_____ ☐ All claims of creditors are barred as decedent died more than two (2) years before the Estate was opened. – Fla. Stat. §733.710

Proposed Order submitted to courtMAP:

☐ Order Determining Homestead - Fla. Prob. R. 5.405(d) (includes street and legal address of subject real property)

I HEREBY CERTIFY that I have complied with the above checklist and filed the required pleadings and supporting documentation in accordance with applicable Florida Statutes, Florida Probate Rules, local rules, administrative orders, and administrative memoranda. I understand that submission of this checklist is considered an official statement subject to Fla. Stat. §837.06.

Dated: _____

_____
Attorney's Signature
Printed Name: _____
Bar Number: _____
Email Address(es): _____