

## Overview - Transferring New Hampshire Real Estate When Decedent Was Not a NH Resident (No Administration)

### **General Information:**

If the decedent lived in another state, and owned property in New Hampshire that is not being sold, but needs to be transferred to another owner, the Executor/Administrator must file the required forms with the court so that the transfer of the real estate is recorded properly and the city or town is notified. The form that needs to be filed is a Petition to File and Record Authenticated Copy of Will and Probate – No Administration.

When the decedent's estate was already probated in another state, an estate does not need to be opened in New Hampshire in order to transfer property located in New Hampshire. However, if the New Hampshire real estate is being sold, an estate does need to be opened in New Hampshire.

### **Other Details:**

The Petition to File and Record Authenticated Copy of Will and Probate needs to be filed in the Probate Division located in the county where the decedent's property is located.

There is a filing fee.

If the decedent owned property in more than one county in New Hampshire, the Petition only needs to be filed in one court. It needs to be filed in a court located in one of the counties where the decedent owned real estate.

A Notice to Towns and Cities form must be filed with the court for each property.

The Executor/Administrator must also mail the Notice to Towns and Cities form(s) to the Town Selectmen or City Assessor where each piece of property being transferred to another owner is located.

In order for the filing of the Petition to File and Record to be complete, an Authenticated Copy of Will and Probate from the state where the decedent's will was probated must be mailed to the Estates Electronic Filing Center.

### **Other Helpful Resources:**

Form(s):

Petition to File and Record Authenticated Copy of Will and Probate – No Administration  
(NHJB-2133-Pe)

Notice to Towns & Cities (NHJB-2142-Pe)

Administering an Estate Booklet

Glossary of Terms

Checklist:

Checklist – Petition to File & Record Authenticated Copy of Will & Probate (#017e)

What to Expect:

After Petition to File and Record Authenticated Copy of Probate

**For Further Information:**

If you have questions, please contact the Information Center at 1-855-212-1234.