

 MASSACHUSETTS TRIAL COURT	COMPLAINT FOR CERTIFICATE AFTER DEATH (G.L. c. 185, § 97)	COURT USE ONLY
COURT DEPARTMENT LAND COURT	COUNTY	
CASE NAME <i>[In the matter of]</i>		DOCKET NUMBER (REQUIRED) ___- SBQ -___-___-___

Note: Use this form (in conjunction with Land Court Chief Title Examiner Memorandum Re: Land Court Guideline 14 available at <https://www.mass.gov/lists/land-court-forms>) when you need to file a Complaint to get a new Certificate of Title or Memorandum of Unit Ownership for land issued after the death of the registered owner(s).

Complaint for new Certificate of Title/Memorandum of Unit Ownership after death of _____, the registered owner(s) named in Certificate of Title/Memorandum of Unit Ownership No. _____ issued from the _____ Registry District.

1. The Plaintiff(s) is/are the sole heir(s) at law **-or-** devisee(s) under the will of the deceased owner(s) named above, who lived at the time of death in the city/town of _____ in _____ County.
2. The Probate & Family Court _____ Division has granted letters testamentary, or of administration, on the estate(s) of the deceased owner(s).
3. More than thirty (30) days have passed since the entry of judgment **and** no appeal from the judgment has been taken, or any appeal taken has resulted in the entry of judgment pursuant to the rescript of the Supreme Judicial Court or Appeals Court.

(If applicable) The attached Addendum describes additional facts that are part of this Complaint.

Accordingly, the Plaintiff(s) request(s) that the Land Court issue a new Certificate of Title/Memorandum of Unit Ownership.

Waiver of Notice by Personal Representative

I, _____, the Personal Representative of the estate(s) of the deceased owner(s), _____, waive notice of this complaint and assent to the relief requested in the complaint, and state to the best of my knowledge and belief that all debts, charges, and claims against the estate(s) of the deceased owner(s) are paid, and that no lawsuits against the estate(s) are pending.

Signed under penalty of perjury,

DATE

SIGNATURE

Note: If there is no Personal Representative appointed, then one heir or devisee must sign this section. All Plaintiffs or their attorney(s) must complete the section entitled "Listing of All Plaintiffs," on page 3 of this form. Add additional pages as necessary.



Filing Requirements Checklist

Submit attested copies of the following documents:

- Deceased Owner's Certificate of Title (or Memorandum of Unit Ownership)
- Probate Court Docket Sheet
- Allowed Petition (pre-MUPC) **-or-** Petition for Formal (MPC 160)
- Citation (and a copy of the publication)
- Approved Bond(s)
- Will (if testate (died with a valid Will)) and all Codicils (if any)
- Inventory (if filed)
- Surviving Spouse, Children, Heirs at Law Form (MPC 162) (if filed)
- Devises Form (MPC 163) (if testate (died with a valid Will) and filed)
- Decree and Order on Petition for Formal Adjudication (MPC 755) (unless the Probate and Family Court Decree is otherwise part of a pre-MUPC filing)
- If any Probate Court filings have been amended, submit attested copies of the amended filings
- Land Court Subsequent Complaint Filing Fee of \$50.00

Submit attested copies of the following documents only if they were filed with the Probate Court:

- Petition for Late and Limited Formal Testacy and/or Appointment (MPC161)
- Decree and Order on Petition for Late and Limited Formal Testacy and/or Appointment (MPC 757)
- Petition for Order of Complete Settlement (MPC 855)
- First and Final Account (including all Accounts if more than one)
- Decree and Order for Complete Settlement (MPC 790)

Note: Additional documents may be requested by the Land Court.



MASSACHUSETTS
TRIAL COURT

COMPLAINT FOR CERTIFICATE
AFTER DEATH
(G.L. c. 185, § 97)

DOCKET NUMBER (REQUIRED)

___-SBQ-___-___-___

Listing of All Plaintiffs
(Add additional pages as necessary)

PLAINTIFF	PLAINTIFF'S LAWYER (IF ANY)	FRACTIONAL INTEREST CLAIMED
PRINT NAME	PRINT NAME	
PHONE	PHONE	SIGNATURES
EMAIL	EMAIL	X PLAINTIFF'S SIGNATURE
ADDRESS	ADDRESS	X LAWYER'S SIGNATURE
		BBO NUMBER

PLAINTIFF	PLAINTIFF'S LAWYER (IF ANY)	FRACTIONAL INTEREST CLAIMED
PRINT NAME	PRINT NAME	
PHONE	PHONE	SIGNATURES
EMAIL	EMAIL	X PLAINTIFF'S SIGNATURE
ADDRESS	ADDRESS	X LAWYER'S SIGNATURE
		BBO NUMBER

PLAINTIFF	PLAINTIFF'S LAWYER (IF ANY)	FRACTIONAL INTEREST CLAIMED
PRINT NAME	PRINT NAME	
PHONE	PHONE	SIGNATURES
EMAIL	EMAIL	X PLAINTIFF'S SIGNATURE
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