

# Transfer-On-Death Deeds: A state-level tool to protect family wealth

JPMorganChase is advancing policies and practices that help ensure all homeowners can fully benefit from homeownership, a key driver of economic security and generational wealth building.

Home equity provides a financial safety net, supports access to education and strengthens resilience against economic challenges. However, when a homeowner dies without a will or estate plan, the property often enters probate—a costly and time-consuming legal process. This can be particularly burdensome for families with low levels of income or wealth, risking the loss of both the home and the wealth associated with it.

To address this issue, we advocate for **alternative tools that facilitate the transfer of homeownership outside the probate process, helping to preserve generational wealth and stabilize homeownership for future generations.**

## Transfer-on-Death-Deeds (TODDs)

TODDs offer a simpler alternative to transferring a deed that allows the beneficiaries to avoid the costly and time-intensive probate process. The [Real Property Transfer on Death Act](#), model language offered by the Uniform Law Commission, modifies state law to allow a property owner to designate beneficiaries in the event of their death by filing a TODD with the local land records authority for a nominal recordation fee. The original property owner can modify the TODD at any point and maintains all ownership rights until their death. This process allows their beneficiary to inherit the property and avoid a lengthy and expensive probate process.

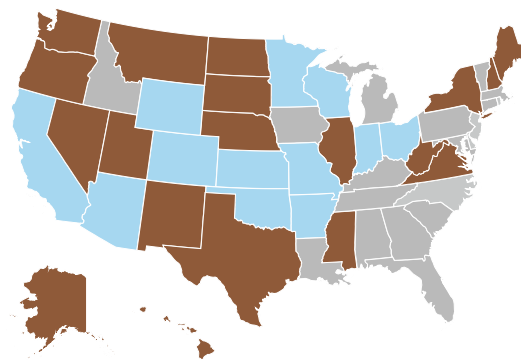
## Protecting and preserving wealth for heirs property owners

To maximize impact, states can consider packaging enactment of TODDs with enactment of the [Uniform Partition of Heirs Property Act \(UPHPA\)](#). JPMorganChase [actively supports the UPHPA](#) as a way to provide due process protections for families facing partitioned ownership, like heirs property. Heirs property occurs when a homeowner dies without a will or estate plan and several people gain rights to indivisible shares in the same home or piece of land. Heirs property greatly increases the risk of property loss due to land speculation, property partition sales or tax default. TODDs would protect against future heirs property cases by offering homeowners an affordable, safe and efficient option to pass property, and therefore wealth, across generations.

## Policy Progress

21 jurisdictions have enacted TODDs, and another 12 have enacted similar measures. Despite language differences, the core notion is a process to transfer property upon death to a designated beneficiary without a will or probate.

■ Model Language    ■ Substantively Similar



## Uniform Law Commission model language

The Uniform Law Commission outlines model language for states to enact TODDs through the [Real Property Transfer on Death Act](#). TODDs have been a popular mechanism for estate planners nationwide since Missouri first enacted legislation in 1989 to allow the transfer of real property outside of probate.

**As part of JPMorganChase's strategy to build and preserve generational wealth through homeownership, the firm is supporting efforts to resolve and prevent heirs property by:**

Supporting federal, state and local policies and proposals that preserve homeownership and facilitate the transfer of generational wealth in addition to TODDs, such as:

- The **Uniform Partition of Heirs Property Act (UPHPA)**, which provides critical due process protections for families at risk of losing their home from an external third party purchasing a co-owner's share of a property and subsequently forcing a partition sale.
- The **Heirs' Estate Inheritance Resolution and Succession (HEIRS) Act of 2024**, which would establish a new grant program at the Department of Housing and Urban Development to support individuals experiencing heirs property with key financial and technical assistance.

Seeding and accelerating scalable solutions through our philanthropic capital, which has supported:

- **Catapult Greater Pittsburgh** (\$3 million committed in 2023) to help stabilize Pittsburgh's neighborhoods by providing access to home repairs, title clearance, and estate planning services to homeowners without a clear title in their name and by acquiring and rehabilitating vacant or abandoned properties.
- **Local Initiatives Support Corporation (LISC)** (\$1.5M since 2023) to address the systemic barriers that contribute to heirs property, including through resident outreach and education, title resolution and estate planning legal services, equitable property valuation methods, and increased access to home repair programs and property tax relief programs.
- **Center for New York City Neighborhoods (CNYCN)** (\$2.7M since 2021) will expand free estate planning services through a network of legal service and housing counseling partners across New York, create a toolkit to replicate their successful model in other regions and localities, conduct practice-informed research on heirs property issues, and research and develop below-market loan products to help heirs consolidate and stabilize ownership.
- **Howard University** (\$500,000 committed in 2023) to establish an estate planning and heirs property legal clinic, where law students gain experience to become estate planning and heirs property attorneys while serving clients in the Washington, D.C. area.

Contributing insights from our research, policy, and philanthropic and business expertise to advance evidence-based solutions, including publishing:

- [Preserving generational wealth by untangling titles for heirs property owners](#) (2023)
- [Supporting Heirs property owners through natural disaster and resiliency programs](#) (2024)
- [Policy Momentum Signals Nationwide Attention to Address Heirs Property](#) (2024)
- [Tackling Persistent Residential Vacancy, Abandonment, & Disrepair](#) (2024)



Learn more at [jpmorganchase.com/heirs-property](https://jpmorganchase.com/heirs-property).