

Vehicle Licensing Guide

Deceased Owner-Application for Title VLIC-3.505

Original Date: 01/10/2013

Revision Date: 02/10/2025

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POLICY	
Title: Deceased Owner-Application for Title	
Effective Date: January 10, 2013	Revision Date: February 10, 2025
Authority: <<<<<REVISION Code of Virginia §§ 46.2-615 , 46.2-622 , 46.2-633.2 , 55.1-134 , 55.1-135 , 58.1-2403 ; and the Attorney General's Office 08/02/1999 Memorandum. END REVISION>>>>>	
Policy: <ul style="list-style-type: none">DMV shall issue certificates of title for motor vehicles, mopeds, trailers, or semitrailers in the names of two persons jointly with right of survivorship when applied for by the customer.When a vehicle is transferred upon the death of its owner to the spouse or legal heir, or under the will of the deceased person, the transfer IS EXEMPT from sales and use tax (Va. Code § 58.1-2403).When a vehicle is transferred upon the death of its owner to a designated beneficiary, the beneficiary must pay the greater of either the motor vehicle sales and use tax (SUT) on the NADA trade-in value, or minimum SUT, unless qualified for tax exemption under Va. Code § 58.1-2403 (refer to VLIC-3.506).When a vehicle owner becomes deceased, the registration and license plates remain valid until the end of the registration period, or until transferred or surrendered, whichever occurs first.	
Exceptions: <ul style="list-style-type: none">No authority exists in Motor Vehicle Code for the issuance of a certificate of title in the names of two persons as tenants by the entireties.When a customer requests the removal of a deceased owner's name from a Virginia title that was issued in the past as "tenants by the entirety", the transfer of ownership is handled the same as titles issued with "right of survivorship".	

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DEFINITIONS

ADMINISTRATOR- A person or entity appointed by the court to administer the estate of a deceased person who left no will (intestate). The administrator must be qualified by the court and has powers similar to those of an executor under a will.

DEATH CERTIFICATE- A document issued by a medical practitioner certifying the deceased state of a person or a document issued by a person such as a registrar of vital statistics that declares the date, location and cause of a person's death as later entered in an official register of deaths.

DISTRIBUTE- A person entitled to a share of the estate of a person who has died without making a will (intestate).

EXECUTOR- A person or entity who administers the estate of a person who has died leaving a will (testate). An executor ensures that the decedent's desires expressed in the will are carried out and may be named in the will or appointed by a court. If the will is probated, the court may appoint (qualify) the person named in the will to be executor, unless there is a valid objection or the person declines or is unable to take on those duties. A person named as executor in a will is not required to be qualified by the court to administer the estate (including transfer vehicles out of the name of the decedent) if the will is not probated.

JOINT OWNER- Joint ownership is represented legally by two names being listed as owners on a vehicle title.

- Any certificate of title issued in the name of two persons may contain an expression such as "or the survivor of them," or just the word "or" which shall create joint ownership during the lives of the two owners, and upon death of one owner, gives individual ownership to the survivor.

PROBATE- The process of proving before a proper court that a document offered as the last will and testament of a deceased person is genuine and meets the requirements under Virginia law for a validly executed and properly proven will. At the time a will is probated, the court will “qualify” the executor named in the will by the decedent to administer the decedent’s estate. The value of the estate and type of property owned by the decedent determines if the will must be probated in court. Not all wills must be probated.

RIGHT OF SURVIVORSHIP- Any certificate issued in the name of two persons as joint owners containing an expression such as “or the survivor of them”, or with “right of survivorship”, which shall be deemed sufficient to create joint ownership during the lives of the two owners with individual ownership being passed to the survivor upon the death of the other. A certificate issued in the names of two persons, with their names separated only by “or,” shall also create joint ownership during the lives of the owners, and individual ownership in the survivor of them.

SOLE OWNERSHIP- A form of ownership where a person or entity to whom a vehicle is titled owns all the rights and interests in the vehicle. The sole owner may sell or assign the vehicle without asking for anyone’s approval.

TENANTS BY THE ENTIRETY or TENANTS BY THE ENTIRETIES- A form of ownership not used on vehicles titled in Virginia. Virginia does not issue vehicle titles in the names of two persons as “tenants by the entirety” or “tenants by the entireties”. Some Virginia titles may exist showing ownership as “tenants by the entirety”. When customers present a Virginia Certificate of Title with ownership as “tenants by the entirety”, process the title following the guidelines for vehicles titled with “right of survivorship”.

WILL or TESTAMENT- A legal declaration by which a person (the testator) names one or more persons to manage his/her estate and provides for the transfer of his property at death.

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OVERVIEW

- Virginia titles are issued with the following types of ownership status:
 - Joint owners with [“right of survivorship”](#)
 - Joint owners without “right of survivorship”
 - Beneficiary designated by the owner to receive the vehicle as “Transfer on Death” (refer to [VLIC-3.506](#))
 - [Sole ownership](#)

How Owner/Co-Owner/Beneficiary Names Appear On Title When Titled As:			
JOINT OWNER WITH RIGHT OF SURVIVORSHIP	JOINT OWNER WITHOUT RIGHT OF SURVIVORSHIP	BENEFICIARY TRANSFER ON DEATH (TOD)	SOLE OWNERSHIP
<ul style="list-style-type: none"> ○ Names separated by “or”, OR ○ Names followed by “or survivor”, OR ○ Names followed by “tenants by the entirety (or entireties¹)” 	<ul style="list-style-type: none"> ○ Names separated by “and”, OR ○ Names NOT followed by “or survivor”, OR ○ Names NOT followed by “tenants by the entirety (or entireties¹)” 	<ul style="list-style-type: none"> ○ Beneficiary name appears on title in the section below the owner’s name and address: John Doe – Transfer on Death 	<ul style="list-style-type: none"> ○ Name of one owner on title

¹ Virginia titles may not be issued with ownership as “tenants by the entirety”, although some may have been issued as such in the past.

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CUSTOMER REQUIREMENTS

<<<<<REVISION

1. Submit completed and signed application(s), death certificate, proof of ownership, will, or other documents or affidavits, as required for the transfer of title. Click on the appropriate document requirement guidelines below:
 - Titling for deceased owner with [executor or administrator](#)
 - Titling for deceased owner without [executor or administrator](#) **END REVISION>>>>>**
2. Submit lien release, when applicable:
 - The surviving joint owner must pay the balance of any lien remaining on the vehicle and submit a lien release signed by the lienholder before selling or re-titling the vehicle in their name,
OR

- A surviving joint owner who is retaining a vehicle with a lien upon the death of the co-owner must submit the Transfer of Certificate of Lien Information form ([SUT 4](#)) signed by the lien holder giving permission to remove the deceased's name from the title, (refer to [VLIC-3.625](#)),
OR
- If the vehicle is not titled jointly (titled solely in the deceased owner's name), the legal heir or appointed executor or administrator must pay the balance of the loan and submit a lien release signed by the lienholder before re-titling.

3. Transfer or surrender license plates (when applicable):

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FRONT COUNTER CSR

1. Inquire on the customer record to verify the owner is marked deceased in the system.
 - a. If the customer record is marked deceased, do not require submission of a certified death certificate.
 - b. If the customer record is NOT marked deceased, require submission of a notarized or certified death certificate. Once submitted, mark the customer record as deceased and return the death certificate to the customer.

NOTE: For beneficiaries applying to transfer a vehicle upon the death of the vehicle owner, process in accordance with [VLIC-3.506](#).
2. Verify submission of required application(s), proof of ownership, court issued will, affidavits or other documents as required for the transfer of title. Click on the appropriate document requirement guidelines below:
 - Titling for deceased owner with [executor or administrator](#)
 - Titling for deceased owner without [executor or administrator](#)
 - a. Verify that the deceased owner's title is properly assigned when applying to transfer vehicle ownership:
 - An executor of a will, or administrator of the estate will sign as seller on behalf of the deceased as follows:
 - **Signature of Seller(s)** Jane E. Buck, Executor of Estate

Jane E. Buck is the executor of the deceased's estate. When signing a title for the deceased, executors and administrators are not required to sign the deceased's name, but only to sign their name as executor and to print by what authority they have signed after their signature (i.e. Executor of Estate, or Administrator of Estate).
 - Spouses and other legal heirs will sign as seller (when applicable) on behalf of the deceased as follows:
 - **Signature of Seller(s)** Joan S. Hess, Surviving Heir

Joan S. Hess is the surviving spouse of the deceased. When signing a title for the deceased, she is not required to sign the deceased's name, but only to sign her name and to print by what authority she has signed after her signature (i.e. Surviving Heir).

NOTE: Surviving joint owners who retain ownership of the vehicle by right of survivorship, or beneficiaries who transfer the vehicle to their name upon the death of the owner must only submit the certificate of title, along with other required documents, and are not required to sign and complete the title.
 - b. Verify submission of the Application for Replacement and Substitute Titles ([VSA 67](#)) when unable to submit the existing title due to its being lost, or stolen (for mutilated or illegible titles the last issued certificate of title must be submitted):
 - i. Submit any portion of the title that still exists for illegible or mutilated titles,
 - ii. For joint owners WITH right of survivorship who are titling the vehicle in their name:
 - Request CSC management or designee remove the name of the deceased owner from the title record, and
 - Process a substitute title in accordance with [VLIC-3.120](#)

FRONT COUNTER CSR (Continued)

- A substitute title may be issued without also processing a replacement title when the original certificate of title is missing.
 - iii. For joint owners WITHOUT right of survivorship, surviving heirs, executors, or administrators who are transferring vehicle ownership:
 - a. Process a replacement title in accordance with [VLIC-3.115](#).
 - The surviving legal heir, executor or administrator of the estate can complete and sign the [VSA 67](#) for the deceased.
 - b. Advise the applicant the replacement title must be properly assigned before vehicle ownership may be transferred.
- 3. If a lien exists on the title, verify submission of one of the following:
 - Transfer of Certificate of Lien Information ([SUT 4](#)), signed by the lienholder, before removing the deceased's name from the title (refer to [VLIC-3.625](#)),
or
 - Lien release from the lienholder, releasing the lien on the vehicle.
- 4. Transfer or surrender existing registration for surviving joint owners (if applicable):
 - Transfer registration to the surviving joint owner if they are retaining the vehicle, or
 - Transfer registration to another vehicle titled in the surviving joint owner's name (refer to [VLIC-4.120](#)), or
 - Surrender license plates for refund; must have 6 or more months remaining in the registration period (refer to [VLIC-4.705](#)).
- 5. Process an original title in accordance with [VLIC-3.000](#).

NOTE: To add a beneficiary to an original title, or transfer ownership to the beneficiary upon the death of the owner, process in accordance with [VLIC-3.506](#).

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POINTS TO REMEMBER

1. Always check the customer record to determine if it is marked deceased before sending customers away to get a certified death certificate.
2. Only CSC management or management designees are authorized to change the customer number, name, or enter changes such as removing a deceased owner from a vehicle record.
3. For vehicles titled and registered jointly with the "right of survivorship", when one owner becomes deceased, the surviving owner may continue to use the registration and license plates until the end of the current registration period. Before the registration may be renewed, the deceased's name must be removed from the title.
4. For joint owners applying to remove a deceased's name from a title and registration, or to transfer ownership of the vehicle when sold to a third party (casual sale), the registration and license plates may be:
 - Transferred to another vehicle owned by the survivor, or
 - Surrendered for a refund; providing 6 months or more remain in the registration period (refer to [VLIC-4.705](#)).
5. Sales and use tax is not charged when processing an original title to transfer ownership of a vehicle from a deceased owner to the spouse or heir, or under the will of the deceased person (refer to [VLIC-4.620](#)).
6. Sales and use tax is charged when processing the transfer of a vehicle to a designated beneficiary, unless otherwise exempt (refer to [VLIC-3.506](#), [VLIC-4.620](#)).
 - A designated beneficiary who is also the spouse, adopted or biological son or daughter, or parent of the deceased vehicle owner, **and who qualifies** under Va. Code § 58.1-2403 (7) for the Family Member (F) tax exemption, is not charged SUT at time of transfer.
 - Beneficiaries and those receiving vehicles as gifts can add a co-owner(s) at time of titling (refer to [VLIC-3.506](#)). Co-owners do not have to be a beneficiary or receiver of the gift to be added to the title.

- Refer to the [Beneficiary Titling](#) table for adding co-owner(s) when titling a vehicle in a designated beneficiary's name due to the owner's death ([VLIC-3.506](#)).

7. For customer records that are marked "deceased" in the system incorrectly, follow the guidelines in [VLIC-3.445](#).

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DECEASED OWNER TITLE TRANSFER GUIDE

DECEASED OWNER TITLE TRANSFER GUIDE	
Titled As:	No Executor or Administrator Required Documents
<ul style="list-style-type: none"> • Joint owners WITH: <ul style="list-style-type: none"> ○ Right of survivorship or ○ Tenants by the entirety¹ 	<ul style="list-style-type: none"> • Certified or notarized death certificate (unless marked deceased in system),AND ONE OF THE FOLLOWING..... • Virginia title² (no signatures required on title if deceased's name is removed from the record and the vehicle is retained by the surviving owner), OR • If the vehicle is being retained by the surviving owner, but the VA title is lost, stolen, mutilated, or illegible: <ul style="list-style-type: none"> ○ Submit the Application for Replacement and Substitute Titles (VSA 67³) to apply for a substitute title with the deceased's name removed. Not required to also apply, or pay for, a replacement title. OR • Virginia title, assigned to a 3rd party by the surviving owner, if transferring ownership to a purchaser (casual sale).
<ul style="list-style-type: none"> • Joint owners WITHOUT: <ul style="list-style-type: none"> ○ Right of survivorship or ○ Tenants by the entirety¹ • With existing surviving spouse, legal heir(s), or will 	<ul style="list-style-type: none"> • Certified or notarized death certificate (unless marked deceased in system),AND..... • Virginia Title assigned to surviving joint owner or 3rd party by: <ul style="list-style-type: none"> ○ Surviving spouse and/or legal heir(s) on behalf of the deceased, or ○ Surviving owner (when he is a surviving spouse and/or legal heir), AND ONE OF THE FOLLOWING..... • A completed and signed VSA-24⁴ as proof of authority for spouse or legal heirs to assign (if no will exists) OR • Copy of will giving ownership to surviving spouse and/or legal heir(s), and/or joint owner, and VSA-24 OR • Virginia Small Estate Act Affidavit properly completed and signed stating the decedent's estate falls under the small estate laws (estate less than \$50,000)
<ul style="list-style-type: none"> • Joint owners WITHOUT: <ul style="list-style-type: none"> ○ Right of survivorship or ○ Tenants by the entirety¹ • With NO existing surviving spouse, legal heir(s), or will 	<ul style="list-style-type: none"> • Certified or notarized death certificate (unless marked deceased in the system),AND ONE OF THE FOLLOWING..... • Virginia Title and Court order granting ownership to the surviving owner, OR • Virginia Title assigned to surviving owner by the deceased owner (signed prior to death)
<ul style="list-style-type: none"> • Sole Ownership 	<ul style="list-style-type: none"> • Certified or notarized death certificate (unless marked deceased in the system),AND..... • Virginia title assigned to purchaser/applicant by legal heir(s)AND ONE OF THE FOLLOWING..... • A completed and signed VSA-24⁴ as certification by spouse or legal heir(s) of their authority to assign (if no will exists) OR • Copy of will giving ownership to surviving spouse and/or legal heir(s) AND a completed and signed (VSA-24⁴), OR • Virginia Small Estate Act Affidavit properly completed and signed stating decedent's estate falls under small estate laws, (estate less than \$50,000)
NOTES	
¹ Although Virginia titles may not be issued with "tenants by the entirety", some Virginia titles may have been issued as "tenants by the entirety" or "tenants by the entireties" in the past.	
² Not required to submit certificate title if an e-lien exists on the record, title is an electronic title record and never printed in the past, or if the applicant is the legal heir, executor or administrator and the title is lost, or stolen. If the title is mutilated or illegible, customer must submit what remains of the title document. A certificate of title assigned to the purchaser must be submitted when the deceased owner's name is still on the title and the vehicle is sold to third party.	

- ³ The survivor with “right of ownership”, legal heir, executor or administrator of the estate may sign the [VSA 67](#) on the behalf of the deceased, providing other required documents are submitted.
- ⁴ Multiple [VSA 24](#)s can be submitted at the time of titling if there are multiple legal heirs. The VSA 24 is NOT used when an administrator or executor exists.

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DECEASED OWNER TITLE TRANSFER GUIDE	
Titled As:	Executor or Administrator is Appointed ⁴ Required Documents
<ul style="list-style-type: none"> Joint owners WITH: <ul style="list-style-type: none"> Right of survivorship or Tenants by the entirety¹ 	<ul style="list-style-type: none"> Certified or notarized death certificate (unless marked deceased in system),AND..... Virginia title² assigned by surviving owner to the purchaser/applicant (A vehicle titled as joint owners with the right of survivorship becomes the property of the surviving joint owner with no action required by executors or administrator's)
<ul style="list-style-type: none"> Joint owners WITHOUT: <ul style="list-style-type: none"> Right of survivorship or Tenants by the entirety¹ With existing will 	<ul style="list-style-type: none"> Certified or notarized death certificate (unless marked deceased in system),AND..... Virginia title assigned to the purchaser/applicant by the: <ul style="list-style-type: none"> Surviving owner, and By the executor on behalf of the deceased. AND..... Court-issued document stating executor is qualified by the court OR Copy of the will naming the executor OR Virginia Small Estate Act Affidavit properly completed and signed stating decedent's estate falls under the small estate laws (estate less than \$50,000)
<ul style="list-style-type: none"> Joint owners WITHOUT: <ul style="list-style-type: none"> Right of survivorship or Tenants by the entirety¹ WITHOUT existing will, but with administrator appointed by court 	<ul style="list-style-type: none"> Certified or notarized death certificate (unless marked deceased in system),AND..... Virginia title assigned to the purchaser/applicant by the: <ul style="list-style-type: none"> Surviving owner, and By the administrator on behalf of the deceased. AND..... Court-issued document appointing administrator
<ul style="list-style-type: none"> Titled solely in the deceased's name (No designated beneficiary) 	<ul style="list-style-type: none"> Certified or notarized death certificate (unless marked deceased),AND..... Virginia title assigned to purchaser/applicant by surviving spouse or legal heir(s),AND ONE OF THE FOLLOWING..... A completed and signed VSA-24³ as certification by spouse or legal heir(s) of their authority to assign (if no will exists) OR Copy of will giving ownership to surviving spouse and/or legal heir(s) AND a completed and signed VSA-24 OR Court-issued document stating executor or administrator is qualified by the court OR Copy of a will naming the executor OR Virginia Small Estate Act Affidavit properly completed and signed stating decedent's estate falls under the small estate laws (estate less than \$50,000)
NOTES	
¹ Although Virginia titles may not be issued with “tenants by the entirety”, some Virginia titles may have been issued as “tenants by the entirety” or “tenants by the entireties” in the past.	
² Not required to submit certificate title if an e-lien exists on the record, title is an electronic title record and never printed in the past, or if the applicant is the legal heir, executor or administrator and the title is lost, or stolen. If the title is mutilated or illegible, customer must submit what remains of the title document. A certificate of title assigned to the purchaser must be submitted when the deceased owner's name is still on	

	the title and the vehicle is sold to third party.
³	Multiple VSA 24s can be submitted at the time of titling if there are multiple legal heirs. The VSA 24 is NOT used when an administrator or executor exists.
⁴	A VSA 24 is NOT required to be submitted when an executor or administrator has been qualified/appointed for the deceased estate by the court.

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RELATED LINKS

[DMV Guide for Family Members and Friends of the Recently Deceased](#) (DMV105)

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CONTACT

For additional information contact:

- Your CSC Manager/Assistant Manager
- DMV Customer Contact Center at (804) 367-6646
- VSA/[Titling Work Center](#)