

Planning for the transfer of personal belongings is often a challenge for the owner and, potentially, family members and legal representatives who are left to make decisions when someone dies. The issue of who receives the personal property is often ignored until a crisis occurs. Many assume it is not important or will just take care of itself. However, experiences of family members and their attorneys suggest otherwise. Transferring personal property is an issue that affects individuals regardless of financial worth, heritage, or cultural background.

When personal belongings are not identified formally by papers of ownership, they are called *non-titled property*. In contrast, *titled* property includes real estate, savings accounts, motor vehicles, machinery, stocks, or other property whose ownership is identified in a written document.

#### Factors to Consider

1. **Understand the sensitivity of the issue.** Decisions about personal property involve dealing with the emotions connected to objects accumulated over a lifetime or across generations. Often the emotional value attached to personal belongings makes the transfer issue challenging.
2. **Decide what is to be accomplished.** An important part of distributing personal property is setting goals and agreeing on what is to be accomplished. The transfer method you choose may vary depending on the goals you identify.

There are no magic formulas for transferring property, but there are some important factors to consider.

The following goals are often identified as important when transferring non-titled property. Check the goals that are most important to you.

#### Possible goals when transferring non-titled property:

- Maintaining privacy**
- Maintaining or improving family relationships**
- Being fair to all involved**
- Preserving memories**
- Contributing to society**

3. **Decide what *fair* means in your family.** Many people will say they want to be fair to all members of their family; however, fair may have many different interpretations. For some, it means everyone is treated equally with everyone getting the same. For others, it means everyone is treated equitably taking into account differences among family members.

Can you think of personal possessions that you know you will distribute equally, or equitably? Start a list here:

**Equal Distribution**

**Equitable Distribution**

---

---

---

---

---

---

---

---

4. **Identify the meaning of objects and share their stories.** Special belongings are meaningful to individual family members in different ways. Therefore, an important step in making decisions about transferring non-titled property is to make a list of special objects. (See worksheets A and B, pages 5-8). Many parents choose to gather information from their children, grandchildren, or others before deciding what to pass on to whom.

Most of us have possessions that we deem keepsakes. The stories behind them are as significant as the items themselves, and can give weight to the meaning of the possessions for future generations, if the stories are passed along.

Think about your special family belongings.

- Can you identify a family keepsake in your possession?
- What memories do you have of this item?
- Who else owned it before you?
- When and how did you acquire it?
- When and how have you used it?
- Who do you want to give it to when you no longer need/use it? Why?

5. **Recognize distribution options and consequences.** Families use a variety of methods to distribute non-titled property. No method is perfect for all families. From the beginning, it is important that the individuals involved discuss, identify, and agree upon a method or methods of transfer.

**Distribution Options:**

- Gifting in your lifetime

Pros:

Cons:

- Preparing a list

Pros:

Cons:

- Giving back to initial givers

Pros:

Cons:

- Lottery method

Pros:

Cons:

- Auctions/sales

Pros:

Cons:

6. **Agree to manage conflicts as they arise.** Family disagreements cannot always be avoided. However, listening well, speaking without blame, and improving conflict management skills can make conversations better.

Even when families do not agree, they can show respect for the opinions and decisions of others. Remember that different ideas about what is fair regarding personal property transfer should be expected.

*Adapted from Who Gets Grandma's Yellow Pie Plate? Transferring Non-Titled Property, Minnesota Extension Service, University of Minnesota, Marlene S. Stum, Family Social Science*

Revised by: Chelsey Byers and Molly Hofer, Family Life Educators – 2017



**Personal Property Owners - Identify Special Objects to Transfer**

What special belongings or non-titled property do you have which you hope to pass on or transfer to others?

<b>Describe Item</b>	<b>Why is This Item Special?</b>	<b>Who Should Receive It? Why?</b>

<b>Describe Item</b>	<b>Why is This Item Special?</b>	<b>Who Should Receive It? Why?</b>

### Personal Property Receivers - Identify Special Objects to Transfer

What special belongings or non-titled property do your parents have which you hope they will pass on or transfer to you?

<b>Describe Item</b>	<b>This Item is Special to Me Because...</b>	<b>If someone Else Received This Item, I Would Feel...</b>

<b>Describe Item</b>	<b>This Item is Special to Me Because...</b>	<b>If Someone Else Received This Item, I Would Feel...</b>

Are there special object/possessions your parents have which you hope they will pass on or transfer to family members other than yourself?

<b>Describe Item</b>	<b>This Item Should Go To...Because...</b>