



**OFFICE OF THE TREASURER-TAX COLLECTOR
SHARI L. FREIDENRICH, C.P.A.**

P.O. Box 4515
Santa Ana, CA 92702-4515
octreasurer.gov/unclaimedfunds



Deposit Instructions for Deceased Estates Funds

In order to deposit proceeds from a Decedent's Estate with the Orange County Treasurer:

1. You must obtain a court order directing the deposit of the monies with the Orange County Treasurer.
2. Prepare a draft Receipt for Distribution
3. Make the check payable to: County of Orange
4. Mail the check, the certified court order and the draft Receipt for Distribution to the following address with a cover letter that stated where the Receipt should be mailed or emailed:

**County of Orange
Attn: Treasurer-Tax Collector
P.O. Box 4515
Santa Ana, CA 92702-4515**

If you have any questions, please e-mail our office at PropertyClaims@octreasurer.gov. Once the packet is reviewed and if it meets the requirements to be deposited with the Treasurer, a Receipt for Distribution will be mailed.

Applicable Code Sections 11750 et seq and 11850 et seq:

PROBATE CODE - PROB

DIVISION 7. ADMINISTRATION OF ESTATES OF DECEDENTS [7000 - 12591]

(Division 7 enacted by Stats. 1990, Ch. 79.)

PART 10. DISTRIBUTION OF ESTATE [11600 - 12007]

(Part 10 enacted by Stats. 1990, Ch. 79.)

CHAPTER 3. Distribution of Property in Estate [11750 - 11754]

(Chapter 3 enacted by Stats. 1990, Ch. 79.)

11750.

(a) The personal representative is responsible for distribution of the property in the estate in compliance with the terms of the court order for distribution.

(b) A distributee may demand, sue for, and recover from the personal representative or any person in possession, property to which the distributee is entitled.

(c) A distribution of property made in compliance with the terms of the court order for distribution is valid as to a person acting in good faith and for a valuable consideration.

Mission: Ensure safe and timely receipt, deposit, collection and investment of public funds.

(Enacted by Stats. 1990, Ch. 79.)

11751.

The personal representative shall obtain the receipt of the distributee for property in the estate distributed by the personal representative. In the case of real property, the personal representative shall record the court order for distribution or the personal representative's deed or both in the county in which the real property is located. Recordation of the order or deed is deemed to be a receipt of the distributee for the property.

(Enacted by Stats. 1990, Ch. 79.)

11752.

If personal property in the possession of a distributee is subject to possession by the distributee for life only, the personal representative shall demand an inventory of the property from the distributee. On receipt, the personal representative shall file the inventory with the court and deliver a copy to any distributee of the remainder.

(Enacted by Stats. 1990, Ch. 79.)

11753.

(a) Distribution in compliance with the court order entitles the personal representative to a full discharge with respect to property included in the order.

(b) The personal representative shall, before or at the time of the petition for discharge, file receipts for all property in the estate. In the case of real property, the personal representative shall file a statement that identifies the date and place of the recording and other appropriate recording information for the court order for distribution or the personal representative's deed.

(c) The court may excuse the filing of a receipt on a showing that the personal representative is unable, after reasonable effort, to obtain a receipt and that the property has been delivered to or is in the possession of the distributee.

(Enacted by Stats. 1990, Ch. 79.)

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DIVISION 7. ADMINISTRATION OF ESTATES OF DECEDENTS [7000 - 12591]

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CHAPTER 5. Deposit with County Treasurer [11850 - 11854]

(Chapter 5 enacted by Stats. 1990, Ch. 79.)

11850.

Subject to Section 11851, the personal representative may deposit property to be distributed with the county treasurer of the county in which the proceedings are pending in the name of the distributee in any of the following cases:

- (a) The property remains in the possession of the personal representative unclaimed or the whereabouts of the distributee is unknown.
- (b) The distributee refuses to give a receipt for the property.
- (c) The distributee is a minor or incompetent person who has no guardian, conservator, or other fiduciary to receive the property or person authorized to give a receipt for the property.
- (d) For any other reason the property cannot be distributed, and the personal representative desires discharge. Notwithstanding Section 11851, deposit may not be made under this subdivision except on court order.

(Enacted by Stats. 1990, Ch. 79.)

11851.

- (a) If property authorized by Section 11850 to be deposited with the county treasurer consists of money, the personal representative may deposit the money.
- (b) If property authorized by Section 11850 to be deposited with the county treasurer consists of personal property other than money, the personal representative may not deposit the personal property except on court order. If it appears to the court that sale is for the benefit of interested persons, the court shall order the personal property sold, and the proceeds of sale, less expenses of sale allowed by the court, shall be deposited in the county treasury. If it appears to the court that sale is not for the benefit of interested persons, the court shall order the personal property deposited with the Controller, to be held subject to the provisions of Chapter 6 (commencing with Section 11900).

(Enacted by Stats. 1990, Ch. 79.)

11852.

The county treasurer shall give a receipt for a deposit made under this chapter and is liable on the official bond of the county treasurer for the money deposited. The receipt has the same effect as if executed by the distributee.

(Enacted by Stats. 1990, Ch. 79.)

11853.

If money is deposited or is already on deposit with the county treasurer, the personal representative shall deliver to the county treasurer a certified copy of the order for distribution.

(Enacted by Stats. 1990, Ch. 79.)