

Second Supplement to Memorandum 2017-12

Revocable Transfer on Death Deed: Follow-Up Study (Draft Tentative Recommendation)

The Commission¹ has received a new email message regarding Memorandum 2017-12.

In the email, which is attached as an Exhibit, Ms. Barbara C. Nelson reports that she executed and recorded a revocable transfer on death deed, without recording the FAQ page. She urges the Commission to recommend legislation to make clear, retroactively, that recordation of the FAQ is not required.

I also hope this can be done in a timely matter so I can rest assured that, when I die, my wishes will be carried out. Also, there are surely many others who have filed and will never be aware of this problem and so, will never have the chance to correct it if need be.²

Respectfully submitted,

Brian Hebert
Executive Director

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

2. See Exhibit.

**EMAIL FROM BARBARA C. NELSON
(APRIL 5, 2017)**

Mr. Hebert,

I am writing in reference to the Revocable Transfer on Death Deed Follow-Up Study.

I had been waiting for a number of years for a bill such as AB139 to be passed so I could name a beneficiary for my property. I read the FAQs page (several times) and understood all the questions and answers but did not realize that it should be filed along with the deed. I filed the deed in January of 2016.

I strongly urge that the tentative recommendation addressed in Memorandum 2017-12 be approved. That the recordation of the FAQ page not be required and that this be made retroactive.

I also hope this can be done in a timely matter so I can rest assured that, when I die, my wishes will be carried out. Also, there are surely many others who have filed and will never be aware of this problem and so, will never have the chance to correct it if need be.

Thank you,
Barbara C. Nelson