



# TOM ORLANDO

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Lorain County Clerk of Courts

- **Answering your questions about:**
  - ❖ SURVIVING SPOUSE AFFIDAVITS
  - ❖ TRANSFER-ON-DEATH (TOD) TITLES
  - ❖ TITLE OWNERSHIP WITH RIGHTS OF SURVIVORSHIP (WROS)



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## Surviving Spouse Affidavit for Motor Vehicles and Watercraft

- A decedent's surviving spouse may take title to **one or more** vehicles (automobiles, motorcycles, pick-up trucks up to one ton in weight) **with a total appraised value not to exceed \$65,000.00** by providing an affidavit stating the date of death, a description of the motor vehicle(s), and the approximate value(s). If the surviving spouse has the decedent's title(s), those may also be provided to the Clerk.
- In **ADDITION** to any automobiles, the surviving spouse may elect to obtain title **to not more than one watercraft and one outboard motor** through use of a surviving spouse affidavit.
- **WROS and TOD titles cannot be transferred to a surviving spouse** via surviving spouse affidavit.

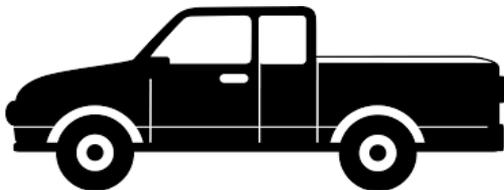


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## What is an "Automobile?"

- The definition of an automobile in Ohio Revised Code Section 2106.18 includes cars, motorcycles, and trucks
- A surviving spouse affidavit CANNOT be used to transfer title to APVs, trailers, snowmobiles, etc.





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## **Watercraft required to be titled in the state of Ohio include:**

- ✓ Outboard motors of 10 horsepower or greater
- ✓ Watercraft 14 feet or greater in length
- ✓ Watercraft less than 14 feet in length but that have a permanently affixed mechanical means of propulsion of 10 horsepower or greater (can include some types of personal watercraft or jet skis such as WaveRunners, Sea-Doos, etc.)





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## **TRANSFER ON DEATH (TOD) TITLES**

- If the beneficiary survives the owner, the vehicle, boat, or motor passes outside of estate of the deceased owner (no probate).
- Used when a vehicle, boat, or motor has a sole owner, and that owner wishes to pass ownership to another person (called a beneficiary) upon the sole owner's death
- There may be more than one named beneficiary, and a beneficiary can be a company or a trust as well
- The beneficiary has no ownership interest in the vehicle while the owner lives, and the owner can change the designation at any time
- The owner and beneficiary may or may not be related
- The title will state "TOD"



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## WROS

- Stands for “**w**ith **r**ight **o**f **s**urvivorship”
- Used when a vehicle, boat, or motor has two owners, and both want their one-half ownership interest to pass to the surviving owner upon the death of the other owner
- The two owners may or may not be related
- “WROS” designation on title is all that is needed
- Vehicle, boat, or motor passes outside of estate of the deceased owner (no probate)