

How to fill out DMV-185-TR — Legal Heir Affidavit

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West Virginia · written against DMV-185-TR (Rev 11/2021), issued under W. Va. Code 17A-4-5 and ch. 42

/forms/west-virginia/dmv185tr-legal-heir-affidavit/

The one-page route through an estate nobody opened: where no administrator or administratrix has been appointed and no will has been left - the form's own conditions - the legal heirs swear who inherits the vehicle and sign in the owner's place, with a copy of the death certificate stapled to it. Its header also answers the question families always ask about the plate: license plates are transferable from the decedent to legal heirs, provided a valid certificate of insurance in the new owner's name backs the registration. Anything with a will or a court appointment goes the probate route instead - the Division will not accept a raw copy of a will.

This sheet is not the form. Download the blank DMV-185-TR from the West Virginia Division of Motor Vehicles at https://webapps.transportation.wv.gov/TWS/WVDOTDocumentStorageMigration/PDF/Transportation/DMV/DMVFormSearch/DMV-185-TR_Legal-Heir-Affidavit-wf.pdf — always take the current revision from the agency rather than a copy. Print this and keep it beside you while you complete theirs.

Every line, in the order you meet it

1	YOU	Decedent and vehicle	The late owner's name, the title number and the VIN, from the certificate if the family holds it. Watch out: No certificate in the house? Order the duplicate first - this affidavit signs for the owner, but the assignment still needs paper to be written on.
2	YOU	The affiants - the heirs taking the vehicle	Name, address and both signatures for each heir becoming an owner, around the sworn designation sentence. Watch out: The oath includes by agreement of all other legal heirs. Read Chapter 42's order before you swear it - the agreement has to include everyone the statute would count.
3	OTHER	The relinquishing heirs	Heirs not taking the vehicle sign the acknowledgement that they freely and knowingly relinquish all rights and claims. Watch out: Get these signatures even from the sibling who says they don't care. The affidavit's strength later is exactly the signatures it carries now.
4	OTHER	The notary certification	County, date, notary signature, commission expiry, stamp - after watching the signing. Watch out: Everyone signs in front of the commission or the sheet is re-signed. One sitting with the whole family present is the version that works.
5	YOU	Then the ordinary transfer	Affidavit, death certificate copy and title travel together - into a retitle in the heirs' names, or straight into a sale's paperwork. Watch out: If the heirs sell at once, the buyer's packet carries the whole story: this affidavit explains why the assignment's signature is not the name on the face of the certificate.

What gets this one rejected

- Using it where a will exists. The form's condition is no will and no appointed administrator - a probated estate attaches certified letters of appointment instead, and the Division rejects raw copies of wills.
- Missing death certificate. The all-caps header makes the copy a condition: a copy of the death certificate must accompany this document.
- Heirs left out. The affiants swear the designation was by agreement of all other legal heirs - a sibling who never signed a relinquishment can unpick the transfer later.
- Correcting fluid anywhere on it. The foot voids the document for any alterations, erasures, or whiteouts - reprint rather than repair.
- Skipping the notary because the family agrees. Every signature on the sheet is sworn; agreement without the oath is just a conversation.

☒ Amber is what you write ☐ Grey is a block somebody else completes The completed example follows overleaf.

Read off DMV-185-TR (Rev 11/2021) and the West Virginia Division of Motor Vehicles's own pages, current as of 2026-08-23. Plain-language help with a form, not legal advice — where this and the agency differ, the agency governs.

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DMV-185-TR Rev. 11/2021

West Virginia Department of Transportation

Division of Motor Vehicles

Legal Heir Affidavit



1-800-642-9066
dmv.wv.gov

A COPY OF THE DEATH CERTIFICATE MUST ACCOMPANY THIS DOCUMENT.

This form is only to be completed when no administrator or administratrix has been appointed and no will has been left by the decedent. License plates are transferable from the decedent to legal heirs, however, a valid certificate of insurance in the new owner's name is required to register the motor vehicle.

Decedent and Motor Vehicle Information

1 Name of Decedent Harlan E. Burdette

Motor Vehicle Title Number 0 4 0 2 2 6 8 1 Serial/VIN Number 2 G C E C 1 9 T 4 4 1 3 5 2 8 7 8

Affiant Information & Certification

2 Name of Affiant Rosalie M. Burdette Address of Affiant 214 Sycamore Hollow Rd City, State and Zip code St. Albans, WV 25177 Signature of Affiant (X)

Name of Affiant Emory C. Burdette Address of Affiant 1017 Juliana St City, State and Zip code Parkersburg, WV 26101 Signature of Affiant (X)

I/we, being dually sworn on oath or affirmation, do swear or affirm that I/we am/are the legal heir(s) of the decedent described herein, as the legally registered owner of the aforementioned motor vehicle, and that I/we have been designated as new owner(s) and assignee(s) pursuant to statutory descent and distribution and by agreement of all other legal heirs.

Signature of Affiant (X) Signature of Affiant (X)

Additional Heir(s) Must Complete the Following (For more than two (2) heirs, additional DMV-185-TR form(s) must be completed)

I/we, the undersigned, being duly sworn on oath or affirmation, do hereby acknowledge that I/we have freely and knowingly relinquished to the above named affiant(s) all rights and claims to the vehicle described above.

3 Name of Heir Twila B. Ratliff Address of Heir 44 Pinch Ridge Rd City, State and Zip code Elkview, WV 25071 Signature of Heir (X)

Name of Heir Address of Heir City, State and Zip code Signature of Heir (X)

Certification of Notary Public

State of West Virginia, County of _____

Subscribed and sworn before me this _____ day of _____, 20_____.

(X)
NOTARY PUBLIC SIGNATURE
My Commission expires _____/_____/_____.

*** ANY ALTERATIONS, ERASURES, OR WHITEOUTS WILL VOID THIS DOCUMENT.**