



# Letter of Instruction

Please complete all applicable fields—including required signatures—and return the form by using the **secure document upload link**. If you don't have a secure document upload link, please call us at 877-357-5659 to obtain one. You may also send us documents by mailing them to:

**Capital One, Attn: Bank by Mail, P.O. Box 85123, Richmond, VA 23285**

All of the deceased's accounts will be settled by the issuance of a check in the name of the estate or beneficiaries on the account.

## Executor/Representative information (required)

Your name:

Your SSN:

Your date of birth:

Street

City

State

Zip

Your email address:

Your phone number:

## Deceased customer information (required)

Deceased customer name:

Deceased's SSN:

Street

City

State

Zip

Relationship to the deceased:

- Executor/Administrator of the Estate  Designated Beneficiary/Named Heir on the account(s)

## Account information:

Please provide **any** known bank account numbers. This will help identify the customer.

Account #1

Account #3

Account #2

Account #4

**Notes:** Please provide any additional information or requests here:

**Signature(s) required on the second page**

# Certifications & signatures



Please review the following certifications and acknowledge them by signing below.

**All signatures required, including signature for a Co-Executor/Representative (if applicable).**

Missing signatures will result in processing delays.

\*Please complete all fields in the notary section

*Notaries: Please attach additional documentation as necessary to meet state notarization requirements.*

**Executor/Representative name** Full name (please print)

**Signature of Notary Public**

**Executor/Representative signature**

**Notary Public full name** (please print)

**Date**

**Notary registration number**

**Comission expiration**

**Co-executor/Representative signature (if applicable)**

**Date**

Please include designation stamp here

**Commonwealth/State**

**City/County**

This Letter of Instruction form was sworn to and acknowledged

before me by the individual named above on this

day of , 20  (Day)

(Month)

(Year)

by

(First name)

(MI)

(Last name)

(Suffix)

**Executor/Representative's full name (please print)**

## FOR BRANCH USE ONLY, WHEN APPLICABLE

*If no notary is available in the branch, the Associate witnessing the signature must complete the following information:*

**Executor/Requestor's driver's license state and number:**

**Date:**

**Branch associate name:**

**Branch associate title:**

**Branch associate signature:**

# FAQs



Have questions about settling an account? Check out these FAQs.

## What do I need to settle an account?

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### For most estates, you'll need

- A copy of the death certificate
- For executors, a copy of the Court-official Letter of Administration or Letters of Testamentary, dated within the last 2 years
  - You may be able to settle with a notarized Affidavit for Collection of Personal Property or Small Estate Affidavit. Please refer to your state-specific guidelines.
- A copy of the Letter of Instruction for each executor and/or beneficiary
- Co-executors may send in one Letter of Instruction, if they wish, signed by both parties

### You may also need

- The executor's authorization to release information to your law firm (if you choose to communicate through an attorney)
- Account-specific forms for Trusts
- Additional documentation to settle accounts with Minor titling or beneficiaries
- If the customer lived in New Jersey, we will also need:
  - A notarized Form L-8
  - An Inheritance Tax Waiver if the Form L-8 does not apply

Beneficiaries are only recognized if the decedent officially recorded the designated beneficiary with Capital One prior to their death. Beneficiaries are entitled to receive the balance of the available funds without waiting for the release of the estate by a probate judge or administrator. Beneficiaries can secure the funds by contacting Capital One with a copy of the account holder's death certificate and a Letter of Instruction.

## Where do I get the Letters of Testamentary or Letters of Administration?

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Typically, these documents are provided by the probate court, but please check with an attorney.

## How do I submit my documents?

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Documents can be sent through a secure upload document link or USPS.

## Where do I get my case number and cover sheet?

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If you have not yet notified Capital One of the customer's passing, please call **877-357-5659** between the hours of 8 a.m. and 8 p.m ET. Your case number and cover sheet will then be provided to you via email.

## What if I am unable to submit my documents by the secure link email provided?

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If you need to remit documents mail to:

**Capital One**  
**Attn: Bank by Mail**  
**P.O. Box 85123**  
**Richmond, VA 23285**

Please only submit copies; documents aren't returned.

## How long will it take to process my case?

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It depends on the complexity of the documents and accounts owned by the deceased. The best way to ensure that your case closes as quickly as possible is to make sure all necessary documents are submitted at the beginning of the case.

## How do I remove a deceased joint owner?

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Joint accounts with deceased joint owners are transitioned to single/sole account ownership of the living joint owner. Depending on the account type, you may need to update a signature card in a branch.

## What are government overpayments?

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Government overpayments are federal benefit payments made into the account after the date of death, such as Social Security, Veterans Benefits or Supplemental Security Income (SSI). As the deceased is no longer eligible for or able to receive the payment, Capital One is legally obligated to return payments made after the date of death to the government entity that remitted the payment. If you believe you are still eligible for the payment, you must contact the government agency responsible for the benefit to have them start issuing the payment in your name.

## What qualifies as a "small estate"?

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Small estate affidavits are an alternative to a full formal probate of an estate. They may be available to family members when the descendant's assets are less than a certain statutory dollar amount. It's best to check with the probate court for your state or consult with an attorney.

## Can I submit the will?

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Capital One can't determine the validity of a will. A will must be probated by the Court and an estate representative appointed by the Court. Where there are no beneficiaries on the account, we will only take instructions about a deceased person's accounts from the Court-appointed legal representative.

## Can you transfer the funds to another Capital One account or an account at another bank?

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No, we can only settle accounts through the issuance of checks in the name of the Estate or beneficiaries on the account.

## Can you send me a list of the deceased accounts and balances?

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Yes, validated executors can request a Date of Death Balance Letter which states the balances of the accounts held by the deceased at the time of death. POD and ITF beneficiaries aren't entitled to request a Date of Death Balance Letter. **Please indicate this request in the comments section of the Letter of Instruction and submit through the provided secure email link.**

## Can I get a copy of the bank statements or tax forms?

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Any necessary tax forms will be sent to the decedent representative's address at the end of the fiscal year. If you need statements, please indicate this in the comment section of the Letter of Instruction and submit through the provided secure email link.

## How do I settle a Capital One credit card, car loan, or small business account?

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You can contact those teams if you have any questions about those accounts and settlements at:

**Credit Cards:** 877-357-5659

**Auto Loans:** 800-946-0332

**Small Business Bank:** 888-755-2172

## Who can I contact if I need to settle a Discover account?

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If you have a Discover account, other than a "Discover by Capital One" card account, that also needs to be settled, please contact Discover's Beneficiary Care Team at:

**Checking & Savings accounts:** 800-975-0162

**Personal Loan accounts:** 800-618-1621

**Credit Card & all other accounts:** 800-347-5519

# Common Estate Settlement Terms



Confused about any of the terms in this packet? This glossary can help.

## General Definitions

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**Estate:** All property owned by a person at death, including both assets (for example, cash, property and household goods) and liabilities (debts).

**Probate:** The procedure by which a court decides that a document qualifies as a valid will; also, the court-supervised process by which a person's estate is managed, settled and distributed after his or her death.

**Notary:** A notary public is a person authorized by a state to administer oaths, certify documents and attest to the authenticity of signatures.

**Decedent:** A person who is no longer living.

**Decedent Representative:** The representative of a deceased person (usually the executor or administrator of a deceased person.) A person or party who has succeeded to the right of a deceased person by purchase, descent or operation of law is the representative of that deceased person.

## Legal Documents

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**Affidavit:** A declaration of facts written down and sworn to before an officer authorized to administer oaths.

**Death Certificate:** An official document issued by a public registry verifying that a person has died, with information such as the date and time of death, the cause of death and the signature of the attending or examining physician.

**Letter of Testamentary:** A legal order issued by the court confirming the appointment of an executor and granting the executor permission to manage and settle the estate.

**Letter of Administration:** A legal order issued by the court which permits a person to act on behalf of an estate of a person who died without leaving a will.

**Small Estate:** An alternative to a formal probate of an estate when the assets, liens, and encumbrances of the estate are under a certain amount, which varies by state.

**Small Estate Affidavit:** An affidavit used to transfer property of a small estate to persons entitled to collect.

**Trust:** A legal arrangement in which one person (the "settlor") requests that another person or a business entity (the "trustee") hold legal title to certain property or money and manage it for the benefit of a third party (the "beneficiary"). A trust may name more than one beneficiary. The terms of a living trust may be carried out while the settlor is still living. A testamentary trust, however, may be created in order to maintain control over assets after death.

## Relationship to the Deceased

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**Administrator:** A person chosen by the court to manage and settle the estate of a person who died without leaving a will. Unlike an executor, an administrator is not specifically named in the will.

**Affiant:** A person who swears to an affidavit.

**Beneficiary:** A person who is legally designated to receive the benefit of some property currently or formerly held by another.

**POD/ITF Beneficiary:** A person who is named beneficiary on a totten trust account. A Totten trust account is a bank account whose owner instructs the bank to distribute the account's balance to a beneficiary upon the owner's death.

**Executor:** A person chosen by the creator of a will to manage and settle their estate when they die. An executor is specifically named in the will.

**Trustee:** A person or business entity who holds legal title to certain property and manages it for the benefit of a third-party beneficiary. A trustee may be appointed for a wide variety of purposes, such as in the case of bankruptcy, for a charity, for a trust or certain types of retirement plans or pension funds.