COLORADO BENEFICIARY DEEDS

KASEY & ALLISON LEARNED | 5THGEN GROUP
REAL BROKER, LLC

Please note: we are real estate brokers, not attorneys, and we cannot give legal or tax advice. Before you act, or if you have questions, please talk with a Colorado trust and estate attorney. Here are a few things to consider before preparing a beneficiary deed.

1

The form is "simple," but the consequences aren't.

A beneficiary deed is a legally binding transfer of your property interest. An attorney can make sure it does exactly what you intend.

2

It doesn't automatically override other ownership arrangements.

If you own the home jointly with a spouse or someone else (as joint tenants with right of survivorship), the beneficiary deed doesn't cancel that arrangement — the co-ownership rules kick in first. An attorney can explain how these interact in your specific situation.

3

It doesn't erase debts tied to the property.

Liens, unpaid taxes, or creditor claims can still attach to the property even after it passes to your beneficiary. An attorney can help you understand what your beneficiary is actually inheriting.

4

It can affect your broader estate plan.

If you have a will or trust, a beneficiary deed operates outside of those documents. An attorney can make sure all your estate planning tools work together, so there are no conflicts and your wishes are carried out after your passing.

5

Unclear beneficiary language can cause real problems.

Naming a backup beneficiary, handling multiple beneficiaries, or planning for a beneficiary who dies before you all require precise legal language. Mistakes here often aren't discovered until after the owner has passed. An attorney can help you set up backup beneficiaries correctly.

6

Tax implications aren't always obvious.

Your beneficiary may get favorable tax treatment (like a stepped-up cost basis), but the details depend on your full financial picture. An attorney, CPA or estate planner can help you see the whole picture, not just the real estate piece.

7

What it typically costs to work with a trust & estate attorney

Attorneys often prepare beneficiary deeds and trusts for a flat fee, with little work required from you. Typical Colorado ranges: about $200–$800 for a beneficiary deed, and about $1,500–$3,000 for a simple trust (which sometimes includes a beneficiary deed). County recording fees are usually well under $100.

More complex trusts, such as Medicaid income trusts or special needs trusts, often run about $3,000–$7,000. All figures are estimates only; fees vary by attorney and county, so confirm before you hire.

Kasey Learned & Allison Learned, Brokers · 5thGEN Group is a team with Real Broker, LLC · Real Broker, LLC Denver office (720) 807-2890 · Team line (970) 303-9607 · hello@5thgengroup.com
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Colorado Beneficiary Deeds

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Many trust and estate attorneys offer a free initial consultation to review your goals and explain their pricing, so it's worth asking when you call.

Just want info on the beneficiary deed?

Find your county clerk and recorder on the Colorado Secretary of State's roster:
https://www.sos.state.co.us/pubs/elections/Resources/files/CountyClerkRosterWebsite.pdf
(Lists every county clerk and recorder's office, with contact info.)

Scan for the county roster

Call or email your county recorder's office and ask:

1. Do you have a beneficiary deed form available online or in person?
2. What is the cost to record a beneficiary deed?
3. What additional information must I bring to record this deed?

Good to know: Under Colorado law (C.R.S. § 15-15-401 et seq.), a beneficiary deed must be recorded with the county before the owner's death to take effect.

Questions to ask a trust or estate attorney: beneficiary deed only

1. Can your office prepare and record a beneficiary deed for me if I'm not an existing client and don't want to set up a trust right now? If so, what does it cost, and who pays the county recording fee, your office or me?
2. If not, can you refer me to an office that does?

For a trust, or a trust plus a beneficiary deed

1. Do you offer a free consultation to review my trust objectives and discuss the rates to establish my trust?
2. How long will this appointment take, and what should I prepare to make the most of our time?
3. Who should attend the meeting (for example, a spouse, partner or co-owner)?
4. I'd also like a beneficiary deed for my property (or properties). Do you offer that, and is it included in the cost of creating my trust? (Note: you may be asked to pay the county recording fee, which is typically well under $100 in Colorado.)
5. How long will it take to set up the trust, and how many meetings will I/we need to attend?
6. Does your fee include future check-ups to see whether my trust needs changes? (Note: Many attorneys will discuss changes at no charge, but preparing documents that change your trust is usually billed, often at their hourly rate. Ask for the current hourly rate so you can estimate the cost, and check again before making changes, since rates can go up.)

Planning what happens to your home?
Whether you're thinking about selling or passing it down, we're happy to talk it through. Scan for a free home value analysis from Kasey & Allison, or call (970) 303-9607.

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