

MANAGING THE PROBATE REAL ESTATE PROCESS

The first step in managing the sale of a probate is to be granted the *authority* by the court to list the property. There are two types of authority that can be assigned to Executors and Administrators in a probate case. *Full Authority* grants Executors and Administrators the ability to act on behalf of the estate with less supervision from the probate court. *Limited Authority*, however, requires more oversight by the court, including an additional court hearing to allow for overbids.

EXPERIENCE – PREPARATION IS OUR STRENGTH

- Complete understanding of all California Probate Real Estate Contracts
- Experienced at selling property with court confirmation
- Selling the property within 90% of the Probate Referee's appraised value
- Date of Death Appraisals
- Address any title issue as it relates to the transaction
- Provide vendor repair services upfront that will provide the Estate the highest return, with vendor payment deferred until close of escrow

STRATEGIC MARKETING

Whether it is a probate will full or limited authority, or any other type of sale, effectively marketing a property requires a multitude of strategies and an aggressive campaign. Our marketing plan is designed to showcase your property to buyers worldwide and sell the property for the highest value possible. When you list with our team you receive local and international MLS exposure, two custom property websites, multi-platform advertising, YouTube videos and so much more. To learn more about our strategic marketing plan [click here](#).

OPEN ESCROW

Once your property enters escrow, we work to ensure the process is smooth and free of encumbrances. We do this by placing buyers through an extensive vetting process to ensure our projected close date and the Estate's goals are met timely and efficiently. We verify loan approvals, review buyer funds and remove buyer contingencies.

For Administrators & Executors that are granted limited authority, an additional court date is required to provide an opportunity for over-bidders. During this time, our team works diligently to advertise the property and its overbid requirements for the opportunity to generate higher offers.

ONE-STOP SHOP – A FULL RANGE OF SERVICES

- Complimentary Housekeeping
- Clean Up & Haul Away Services
- Repairs – Vendors Defer payment
- Movers & Packers
- Painters, Plumbers & Electricians
- Locksmith & Board Up
- Abandoned Vehicle Removal
- Eviction Services & Squatter Removal

Managing the probate process can be overwhelming for Executors and Administrators. List your probate property with our real estate team of professionals, as we can offer you the guidance and services you need from start to finish. For the right answers and experience, [connect with our team today](#).

HELPFUL PROBATE TERMS & DEFINITIONS

As an executor or administrator of an estate, it is vital to understand probate terms & definitions. Probate has many procedures and regulations that can affect a real estate transaction. These procedures have specific steps that must be strictly followed. Without complete understanding of these terms & definitions, probate can easily cause confusion and loss of valuable time.

The basic probate terms and definitions provided below are intended to promote a better understanding of probate and individual roles of those typically involved. It does not reflect the whole, complex landscape of actual probate procedure. To gain a greater understanding of managing, buying, or selling probate real estate, seek experts in the field. The LaRoche Team stands ready to provide solutions to any probate challenge. [Connect with our team of experts today!](#)

BENEFICIARY

A person who inherits when there is a Will

BOND

A form of insurance that protects the assets of the estate.

CONSERVATOR

A person who has the court-appointed fiduciary responsibility for the care of another adult

CONSERVATEE

The person whose care is provided for under a conservatorship

CONSERVATORSHIP

A court proceeding wherein a judge appoints a responsible person (Conservator) to care for another person (Conservatee) who cannot care for him/her self or finances

CREDITOR CLAIM

A request filed with the court by a person or entity who believes they are owed money by the decedent.

DECEDENT

A person who has died

ENCUMBRANCE

Any claim or restriction on a property's title.

ESTATE

All the money and property owned by a person at the time of death.

EXECUTOR

A person named in a Will and appointed by the Court to carry out the decedent's wishes. This person is also the seller of the real property

FIDUCIARY

A person or entity who holds assets for another.

HEIR

A person who inherits

INTESTATE

A person who has died without having made a will. When there is no Will, the sale of the decedent's real property often requires court confirmation.

INTESTATE SUCCESSION

The order of who inherits the property when the decedent does not have a Will

LETTERS OF TESTAMENTARY

A document issued by the court granting authority to handle the affairs of a testate estate.

PERSONAL REPRESENTATIVE (ADMINISTRATOR OR EXECUTOR)

The person responsible for overseeing the management and distribution of the estate

PETITION

A formal application made to a court in writing that requests action on a certain matter. To begin the probate process, a petition must be filed with the court.

PROBATE

The formal court process to appoint a representative and marshal, as well as appraise assets and distribute the decedent's estate to the proper parties

[PROBATE REAL ESTATE SALE](#)

The transfer of legal title (ownership) of real property from the estate of the person who has died to a buyer under the supervision of the Court

[PROBATE REFEREE](#)

Before real property can be sold through probate, it must be appraised. This is done by a Probate Referee. In California, probate referees are appointed by the State Controller and assigned to a particular case by the court clerk. They are paid for this service directly by the estate, usually a percentage of the appraised value

[REAL PROPERTY](#)

The term used to refer to real estate (land and buildings) in probate and trust sales

[TESTATE](#)

Having made a valid will before one dies

[TRUST](#)

In real estate in the United States, a deed of trust or trust deed is a deed wherein legal title in real property is transferred to a trustee, which holds it as security for a loan (debt) between a borrower and lender. The equitable title remains with the borrower

[WILL](#)

A legal document in which a person gives instructions for the distribution of his or her assets upon death.