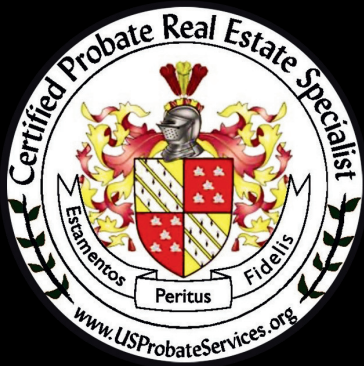


HOW TO:
**NAVIGATE PROBATE &
TRUSTS WITH
REAL ESTATE.**



BY: MIKE GUNSALLUS
THE PROBATE/TRUST AGENT

ALLPHASE
REALTY

NAVIGATING PROBATE & TRUSTS

PART A: PROBATE

1 WHAT IS PROBATE?

The legal process of distributing a person's assets after their death. Refer to the "PR Duties Chart" which outlines the responsibilities of the PR to help keep you on track.



Inventory of assets includes personal property, real property, financial accts, insurance policies, cash, business interests, securities, IRA's, retirement accts, business ownership, leases, safe deposit boxes and more.

2 DO I NEED AN ATTORNEY?

Florida does not require an estate to hire an attorney but we strongly recommend securing legal counsel.



If you need help selecting an attorney, we have a list of trusted partners in the probate section on our website.

3 IS PROBATE DIFFICULT?

Probate is more time consuming than difficult. There are many steps and filings in the process and various stages contain waiting periods.



Understanding the steps & timeline will help set your expectations of the process.

4 SHOULD I TRY TO AVOID PROBATE?

Not typically, it is often required and most PR's will hire an attorney to assist. Probate is often necessary unless various steps have been taken in advance. See #5 for more information.

5 HOW CAN I AVOID PROBATE?

Here are a few ways to avoid probate with advanced planning. A properly created Revocable Living Trust, An estate having only assets not subject to probate, Insolvent estates, Estate values below state minimum. Certain deeds will help keep real estate out of probate: JTWR0S, Tenancy by the Entirety, Community Property Agreements, Transfer on Death Deed.

Some will require certain efforts be taken to transfer the deed and proof of death is often required as well.

PART A: PROBATE

6 WHAT ASSETS ARE SUBJECT TO PROBATE?

It is best to start with assets NOT subject to probate. If the decedent owned their home as their primary residence at the time of their death, the PR should be able to file homestead exemption to protect the real property from claims against the estate.

There are also assets not subject to probate that include; joint bank accounts, life insurance policies, various brokerage accounts, assets in certain types of trusts, transfer on death deeds, anything with a payable-on-death designation. There may be others that you can discuss with your attorney.

7 HOW LONG DOES THE PROCESS TAKE?

This varies based on various factors such as whether or not there is a will, how many surviving heirs are involved and if they agree with the validity of the will/distribution of assets, creditor claims, tax issues, if a business involved, and whether or not real estate is involved. Probate can take as little as 2-4 months and as long as 12-18 months or more for more complex cases.



Refer to the "Probate Timeline" on the following page for additional information on the steps and potential duration of the process.

ADDITIONAL TIPS:



Give special attention to highly valuable items and collectibles. These often require an appraisal to determine market value.



If liquidation of assets is a priority, determine which items should be marketed first based on market conditions, selling seasons, etc.



Establish an estate escrow account for deposits from estate items. Use these funds to pay for required expenses, taxes, etc.



Maintain detailed receipts for payments, expenses and distributions made which will make final discharge go more smoothly.



Notify all interested parties of court orders and hearings.



Contact Mike with Real Estate questions
MikeG@AllphaseRealty.com



Probate Timeline

For illustrative purposes only, all cases are different and your case will vary in steps and time.

Formal Administration Timeline Shown. Summary Administration is often much less involved and your estate must meet qualifying criteria.

Week Number 1

- Learning of the Death
- Reading of the Will
- Arrange funeral services
- Confer with an Attorney
- Meet interested parties
- Safeguarding of the Assets

Week Number 2

- Protection of Real Property
- Learn of any business interests
- Examine books and records
- Notice of death to banks, etc
- File petition for Probate
- Applies for PR Appointment
- Applies for oath of office as PR

Week Number 3

- Obtains proof of heirship
- Locates witnesses
- Obtain addresses of heirs

Week Number 4-6

- Court hearing
- Appointment of PR
- Receive Letters Testamentary
- Locate & Inventory all assets
- Asset appraisals
- Administration of the estate*
- *See "Duties Chart" for detailed explanations.
- Business interest research
- Collect on insurance policies

Week Number 7-9

- Tax related issues & notices
- Securities review & custody
- Handling out of state assets
- Prepare & file tax returns
- Secure tax waivers
- Mgmt for existing leases

Week Number 10-12

- Publish notice to creditors
(12 week waiting period after)

Week Number 14-26

- File notice of inventory/assets
- Pay owed taxes
- Review creditor claims
- Pay allowed claims
- Resist invalid/improper claims

Week Number 18-34

- Resolve business interests
- Resolve out of state assets

Week Number 22-38

- Spousal election
- Possible preliminary distributions
- Notice to Franchise Board
- Prepare final accounting
- Notify interested parties
- File petition for final distribution
- Prepare final tax letter

Week Number 30-52

- Court settlement approval
- Distribution of remaining assets
- Secure final discharge order

Refer to the "Duties Chart" in this packet which provides additional details about the responsibilities mentioned on this timeline.

ALLPHASE
REALTY A HIGHER STANDARD

This timeline is for illustrative purposes only and is not considered legal advice, please consult with an attorney for proper handling of your case.

NAVIGATING PROBATE & TRUSTS

PART A: PROBATE

PART A: PROBATE

8 WILL THE ESTATE BE SUBJECT TO TAXES?

Federal estate taxes apply if the estate has a total value greater than that of the current estate non-taxable limit by the Federal Government. This amount is subject to change and we suggest consulting with your attorney for the current limitations.



State estate taxes vary by state, currently there is no estate tax in FL (one of only seven states not to levy an estate tax).

9 IS THERE AN INHERITANCE TAX?

There is currently no federal inheritance tax and Florida does not have a state inheritance tax.



Some states have an inheritance tax & it is recommended that you consult with an attorney as laws change periodically.

10 WHAT IS THE MEANING OF TESTATE AND INTESTATE?

When someone dies without a will they are determined to have died intestate, and conversely, those who die with a will in place have died testate.



When someone dies intestate, probate will likely be necessary to determine how to distribute their estate.

11 IS THE FAMILY LIABLE FOR THE DEBTS OF THE DECEDENT?

Only if a family member has co-signed on a debt. Otherwise, family members are not personally liable. But, the deceased person's home may be foreclosed on if there is an outstanding mortgage that has gone unpaid.



If insufficient funds exist to pay all valid debt, the proper sequence of creditors according to state law must be followed.

12 WHAT ARE THE PR DUTIES?

We have provided a detailed list in this packet, please refer to the "Duties Chart" for a list of PR responsibilities.

13 SHOULD I HAVE AN ESTATE SALE FOR THE PERSONAL PROPERTY?

An estate sale is a good way to generate funds & liquidate items. Be certain to hold back bequeathed items in a valid will. It is generally accepted to communicate with all heirs to ensure agreement on any keepsake items.



Use a professional estate sale company who is familiar with the process and ask if their service includes haul away of unsold items.

14 HOW WILL I KNOW THE VALUE OF THE PERSONAL PROPERTY?

Resale value of furniture and general household items are valued at what they will sell for during an estate sale. This is often left to the estate sale company who is experienced in selling general household items.



Valuable items; art, vehicles & collectibles should be appraised to ensure they are sold by the proper means to obtain the highest price.

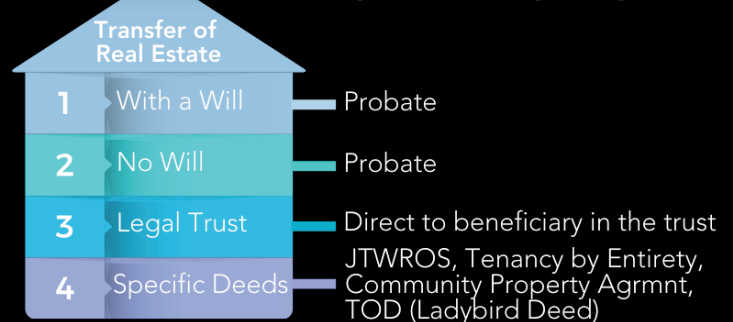
15 THE HOUSE IS WILLED, ESTATE CANNOT PAY THE DEBTS?

The PR can file Homestead Exemption to keep the home out of probate, protecting it from creditor claims. If the estate lacks funds to pay the debts, they will be paid in legal sequence. Consult with your attorney as to which debts must be paid first.



Refer to the "Real Estate Transfer Chart" below for information about what happens to real estate upon the death of the owner.

REAL ESTATE TRANSFER CHART



Probate: The surviving spouse may elect to file for homestead protection to remove the property from probate. If there are minor children, the options may be different regardless of what is stated in the will if there is one.



The trust must be properly established & real estate must be devised according to legal provisions if there is a surviving spouse and/or minor children. An attorney can help ensure proper handling within state mandated guidelines.



These types of deeds must be established in advance and it is recommended that an attorney be consulted at the time of preparation as the heirs will have specific rights depending on which option is selected and how the trust was established. If the estate has not made these arrangements in advance, we recommend speaking with an attorney to ensure that the situation is handled properly and within state mandated guidelines.

ESTATE ADMINISTRATOR DUTIES DURING THE PROBATE PROCESS

READS THE WILL

Expedites the burial instructions & meets interested parties, confers with the attorney & persons familiar with the financial affairs.

Insurance & protection of real & personal property.

Secure knowledge of business interests.

SAFEGUARDS THE ASSETS

Takes immediate protective measures needed prior to appointment as executor.

Examines records, books and files.

Gives notice of death to banks & depositories, etc.

We assist with on-site needs to ensure property is secure and can have the property re-keyed if needed with written authorization.

PETITIONS THE COURT FOR PROBATE OF THE WILL

Obtains proof of heirship, locates witnesses through estate attorney, petitions for probate of Will, applies for court order in administration of estate & appointment as executor, files oath of office as estate administrator.

ASSEMBLES & INVENTORIES ALL ASSETS

Takes action to collect on life insurance policies, secure tax waivers and collect all

Inventories & appraises household goods & effects, removing valuables to vault.

Presses all claims for amounts due, locates evidence & witnesses when contested.

Arranges proper supervision & management for ongoing business interests.

Obtains custody of securities & collects all interest & dividends.

Inspects condition, leases, taxes & mortgages of real estate & arranges management

We assist with photos/video of the property contents and condition.

PROCURES APPRAISALS OF ALL ASSETS

Gathers complete & satisfactory evidence of the values of all assets at the date of death.

ADMINISTERS THE ESTATE

Governed by the wishes expressed in the Will, the requirements of the estate, and local probate law.

Gives special study to valuable collections; determines method & time of sale for articles not bequeathed; makes a careful estimate of amount of cash to be raised for payment of taxes, legacies, and expenses of administration and of probable net estate for distribution.

Investigates all real estate from standpoint of earnings, market, and desirability in case circumstances require its sale.

Gives exhaustive study to your business interests and determines policy of continuance, liquidation, or sale with due regard to expressions in your Will. Carries out or adjusts incomplete contracts.

Makes comprehensive review of market conditions for each security to decide which should be sold first, if necessary to meet taxes, expenses, claims, and specific bequests.

We assist with all real estate needs, market analysis, valuation and comparable sales based on condition & level of finish & updates.

Attends to income taxes for the part of the year prior to death.

Pays the income tax

MAKES ALL THE TAX RETURNS

An intricate and involved procedure in which particular forms of information and returns must be prepared & filed with each taxing authority.

Pays inheritance & estate taxes

Arranges for necessary proceedings to release securities of property located in other states.

Makes careful survey of all possible tax claims to see that no further liability exists upon review by the government.

Ascertain & pay inheritance tax in state of residence, obtains waiver for transfer of securities.

Files return & pays tax for the part of the year of death.

Files preliminary notice, prepares return, pays State Inheritance and Federal Estate Tax.

We can provide referrals for tax accountants when needed.

SETTLES ALL PROPER CLAIMS

Publishes notice to creditors; obtains all available evidence regarding propriety of each claim filed, resists all improper claims; pays out of estate funds all approved and allowed claims

DISTRIBUTES THE PROBATE ESTATE

Prepares data for final account showing in detail all receipts and disbursements; notifies interested persons of hearing on account, after settlement of account by court, distributes remaining property of your estate as directed by court.

OBTAINS FINAL DISCHARGE

After final payment and distribution to legatees and devisees, secures final discharge as an executor.

The Probate Agent provides many services at no charge to the estate; Market Valuation \$300 value, FREE; Photos of the property and contents \$400 value, FREE; Video of the property \$175 value, FREE; Verifying if the property is properly secure \$129 value, FREE!

We work primarily on referral from Attorney's and Funeral Homes and provide exceptional value for our clients.

NAVIGATING PROBATE & TRUSTS

PART A: PROBATE

16 HOW DO I FIND A PROBATE REAL ESTATE AGENT?

While most real estate agents can assist you in the selling of real property, it will be advantageous to connect with an agent who provides probate-specific services and knowledge about the probate process to best represent your interests.



A Certified Probate Real Estate Specialist, like this author, possesses a clear understanding of the process & the ability to best obtain your desired results keeping your best interests above all else.

17 HOW WILL I KNOW WHAT THE PROPERTY IS WORTH?

Your agent should provide you with multiple options and values based on your objectives and those options should include; a) the current value "as-is", b) the value if needed repairs are made, and c) the value if repairs and current updates are made. This will allow you to compare projected sales prices against probable costs and time to determine which is best for the estate.



Mike personally assists clients in Volusia, Seminole, Brevard and Orange Counties and maintains a national referral network of professional agents.

18 HOW CAN THE HEIRS KEEP THE PROPERTY AS A RENTAL?

Your real estate agent can draft a prospectus so the heirs can determine if renting suits their needs, as well as determine current zoning allowances. If there are multiple heirs & one or more decide they want to sell, the others can get together to "buy out" the heir(s) who want to cash out. This will require an appraisal as well as the ability of the heirs to perform the buyout. Disagreements on how to proceed often end up with the property being sold. Additional considerations:

- Property taxes often increase w/out the option for homestead.
- Proximity to the property is important if self-managing is the plan.
- Consider time & costs to get the home into rentable condition.
- Maintenance of the property is a key consideration for rentals.
- Be aware of "short-term rental zones" if this is being considered.
- Consider HOA rental guidelines if applicable.



Mike handles Property Mgmt & can discuss with you if you decide to keep the property as a rental.

19 HOW CAN I DETERMINE IF THERE IS A WILL OR NOT?

You can contact the county clerks office in the county of the deceased to see if a will has been filed. If not, it doesn't mean that one doesn't exist. A thorough search of records boxes, safe deposit boxes, online storage accounts & local computer hard-drives may provide information as to an existing will. You should check with the family attorney as well as close friends & family to see if anyone has information about it.

PART A: PROBATE

20 CAN HEIRS ACCESS FUNDS FROM THE ESTATE DURING PROBATE?

This is a common question with a complex answer that varies from case to case. The PR is charged with managing, preserving and distributing the assets of the estate through a structured process. In short, the PR may access the estate funds to be used for direct management of the estate; funeral expenses, property maintenance and legal fees, etc. There are times in which discretionary distributions may be made, but only under court supervision if approved. Access to funds is typically not allowed until the creditor claims have been made.



Heir approval may be required prior to early release of estate funds. If you are considering a motion to obtain early funding, consult an attorney to properly make the request.

21 WHAT IF AN HEIR DISAGREES WITH THE DECISIONS OF THE PR?

Disagreements are common & open dialogue is the best first step to ensuring the estate is managed properly. If heirs still believe the PR is mis-handling the estate there are a series of steps that can be taken: Review the Will, Meet with an attorney, Request an accounting of decisions & expenses, Request mediation or Petition the Court.



Be sure to document everything and keep copies of all texts and email communications regarding the concerns in the event that you need to present them to the court.

22 ARE WE ABLE TO SELL ESTATE ASSETS PRIOR TO THE END OF PROBATE?

There are many legalities involved in this question and the first response would be asking you to consult with an attorney. There are many legal aspects in play that include; taxes owed, creditor claims, consent of beneficiaries and court approval requirements. Every case is different and this is best left to a discussion with your attorney.



Contact Mike with Real Estate questions MikeG@AllphaseRealty.com



NAVIGATING PROBATE & TRUSTS

PART A: PROBATE

23 WHAT DOCUMENTS ARE NEEDED FOR PROBATE?

We recommend discussing this with your probate attorney as the needs will vary based on the type of filing; formal or summary. Typically you will need the death certificate, the original Will, and a petition form for the court to start probate proceedings.



There may be much information to gather such as; a list of all assets and debts, proof of ownership, a list of beneficiaries, named executor, funeral receipts, tax forms, life insurance documents, marriage/divorce certificates, financial statements, business interests, property valuations and contact information for heirs, beneficiaries, creditors, and more.

24 CAN WE CONTINUE RUNNING THE BUSINESS OF THE DECEDENT?

This can get very tricky as there are many factors to consider. First, it's important to determine what type of business they owned and if any special licenses are required such as; attorney, realtor, therapist or doctor. Next, it depends on the size and scope of the business and whether the existing business has by-laws in place for succession of leadership as well as how ownership shares are accounted for upon death. There are other factors to consider such as lease agreements that may have a clause in place for what happens upon the death of the lessee.



It is important to discuss these issues with an attorney and/or financial advisor or business consultant. Ultimately, it is the duty of the Executor/PR to manage and make decisions that are in the best interest of the estate. Keep in mind that the decision making of the Executor/PR may be limited due to various legal requirements in a given situation.

This is the end of the Probate section. Continue to Part B for information on Trusts, Part C for Real Estate and Part D for Additional Resources.

Mike Gunsallus
The Probate & Trust
Real Estate Agent



PART B: TRUSTS

1 HOW DO I KNOW IF THERE IS A TRUST?

You can contact the family attorney if there is one, or you can search records boxes or safe deposit boxes if there is one. You can also review financial statements and tax returns which may give indications as to whether or not there is a trust as often times assets are moved into the trust. You can also ask family members, search public records or consult an attorney familiar with estate planning who may be able to search databases for additional information.

2 WHAT IS A TRUSTEE & HOW DO I FIND THEM?

The Trustee is the person or entity responsible for managing and distributing the assets of the trust. Once you have located the Trust documents, the information for the Trustee should be included in those documents.

3 WHAT ARE TRUST TERMS?

Trusts often come with various stipulations such as when distributions are to be made, how much authority is granted to Trustee, a specific purpose of the trust, special provisions within the trust, etc. Each trust is different and the Trustee is charged with understanding and fulfilling the provisions of the Trust.

4 HOW ARE DISTRIBUTIONS MADE?

Distributions can often be made in several ways, including; cash, securities or property. It is the charge of the Trustee to ensure communication with the beneficiaries of the Trust so they understand when and how the distributions will be made.

5 CAN A TRUST BE CONTESTED?

Yes. There are various reasons that a Trust may be contested through a legal proceeding. Some of the reasons include; lack of capacity, undue influence, misrepresentation, improper execution, potential forgery, lack of legal formalities, ambiguity, breach of fiduciary responsibilities by the Trustee, change in circumstances.



Some Trusts include a "no contest" clause to disincentivise beneficiaries from contesting the Trust.



Contact Mike Gunsallus with Real Estate questions at 404.569.8048 or email MikeG@AllphaseRealty.com

NAVIGATING PROBATE & TRUSTS

PART B: TRUSTS

6 HOW DO I CLAIM MY TRUST INHERITANCE?

You will reach out to the Trustee and obtain the necessary forms to complete and return them along with any other required information and/or proof of identification needed. Upon approval you will be notified as to how and when you will receive your inheritance. It is important to note that inheritance often creates tax implications and it is advisable to speak with a tax professional and/or financial advisor as to how to properly receive your inheritance.

7 WHAT IF THE TRUSTEE IS UNABLE OR UNWILLING TO PERFORM?

In the event the Trustee is unable or unwilling to perform their duties, a successor Trustee is often named in the Trust. Lacking a successor, this often falls on the court to intercede and appoint or approve a successor Trustee. It is important to note that there is a specific process to follow and we suggest discussing this with an attorney if this is your situation.

8 WHAT HAPPENS IF A BENEFICIARY HAS DIED?

In the event that one or more beneficiaries to the Trust has passed away, the Trust document often accounts for this in one of many ways. If the term "per stirpes" is used within the Trust, this means that the inheritance will pass along to the heirs of the original beneficiary. There may also be an alternate beneficiary named in the Trust, or the inheritance may get redistributed among the remaining beneficiaries. In some instances it may be left to the discretion of the Trustee and in other cases it may be presented to the court for final interpretation as to intent and distribution.

9 WHAT HAPPENS TO REAL ESTATE IN A TRUST?

The terms of the Trust often include instructions as to how to handle real estate in the Trust. Here are a few examples: It may be noted that the property is to be sold and the net proceeds distributed among various beneficiaries. It may also be noted for use by a beneficiary to live in or use as vacation property. It may also stipulate that the property be leased for the benefit of the beneficiaries. If the property is for the benefit of multiple beneficiaries, it may also include dispute resolution guidance.



There are many ways in which real estate can be utilized and it is important to read the terms of the Trust to fully understand the provisions set forth.

PART B: TRUSTS

10 WHAT HAPPENS IF NOT ALL ASSETS ARE IN THE TRUST?

If the estate has assets that are not outlined in the Trust, they will be handled by other means such as Probate. And then the instance of whether or not a Will was created to devise the remaining assets. There may also be a clause in the Trust granting the Trustee authority to include and devise assets not included in the Trust.



There may also be other factors that include TOD (transfer on death) forms, prenuptial agreements, joint deeds and other agreements. It is best to consult with an attorney to ensure that all assets are being distributed properly.

11 WHY DO WE HAVE TO GO THROUGH PROBATE IF WE HAVE A TRUST?

If you are told that Probate is required and you have a Trust in place, there could be several reasons for this. The Trust may not have been fully funded which can often lead to probate. Some of the assets may be held outside of the Trust which can also cause delays and possibly lead to the need for Probate.

12 HOW LONG DOES IT TAKE TO RECEIVE MY INHERITANCE?

This depends on the type of Trust that was created, the terms of the trust, and outside influences that may cause delays. A living revocable trust is designed for the efficient transfer of assets provided that it was properly established and all assets were properly placed in the Trust.



There are factors that can cause delays, such as; possible Trust terms requiring time limitations or actions to be met, potential tax liabilities, potential creditor claims, inventory and valuation of assets, and verification of beneficiaries.

This is the end of the Trust section. Continue to Part C for Real Estate and Part D for Additional Resources.



Contact Mike Gunsallus with
Real Estate questions:
MikeG@AllphaseRealty.com



NAVIGATING PROBATE & TRUSTS

PART C: REAL ESTATE

1 DECIDING TO KEEP/SELL THE REAL ESTATE.

There are often factors such as finances, repairs, disagreement amongst heirs or even what is written in the Will/Trust that make a sale inevitable. Here are some other considerations;

- *How many properties are there?
- *How many heirs are involved?
- *Do all of the heirs agree on keeping vs selling?
- *What does the will or trust call for?
- *Are you financially able to keep the property(ies)?

Prior to making a decision, it is best to enlist the services of a real estate professional to tour the property(ies), make notes regarding the condition and age of the services and provide a market valuation in as-is condition as well as a market value based on various repairs and updates as needed. This will help the heirs decide whether they wish to keep or sell the property.



Mike is also a Property Manager and can handle the process for you if you decide to keep the property.

2 KEEPING THE PROPERTY?

Deciding to keep the property comes with several other considerations, especially if there are multiple heirs to the property, such as:

- Will it be used as primary residence of one heir?
- Will it be held as a rental property?
 - *Written agreement suggested if multiple heirs.
 - *Does it need repairs? Time & cost?
 - *Who is managing the property and handling repairs?
- Will it be a vacation home for one or more heirs?
 - *Will it be rented while not in use?

Be sure to consider property tax increases, potential HOA restrictions and creating a written agreement if applicable.

3 GETTING IT SOLD.

Deciding to sell comes with questions to be answered prior to making the final decision. Your agent should tour the property and make note of any detriments/enhancements to the sale that should be addressed and provide you with an "as-is" valuation as well as potential valuations based on repairs and updates along with cost & time estimations.

If you work with an agent like this author, Mike Gunsallus, you will be working with an experienced agent who understands the process of working with heirs and offers various incentives as well as "boots on the ground" assistance in scheduling work, meeting contractors and assisting in the process.



If you are looking for someone who provides more than just "listing your house", contact Mike today and get a thorough Property Prospectus based on your objectives.

Get your Complimentary Valuation Analysis
MikeG@AllphaseRealty.com

PART D: MORE RESOURCES

1 ONLINE FORMS & FLYERS

You will have many needs as you progress through this process when there is real estate involved and our website has many beneficial resources such as; guide booklets, charts and timelines, incentives and flyers all designed to simplify the process for you.

www.LuxeHomeSales.net

2 SERVICE PROVIDERS

Every situation is different and we have partnerships with providers across the spectrum ready to assist our clients. So whether you need an attorney, funeral home, estate sale, HVAC, electrician, plumber, roofer, landscaper, pool service, windows/doors, locksmith, concrete, hauling, florist, house cleaner - we've got you covered!

PART E: MEET THE AGENT

Mike Gunsallus specializes in helping families through the real estate inheritance process & works hard to exceed the expectations of his clients. See more about Mike below.



MENTOR

Served as mentor & trainer for new agents.



CLIENTS SERVED

Helped nearly 100 families with real estate needs.



PRICE RANGE

Has worked with clients from \$125k - \$1.5m



SPECIALTIES

Probate & Trust Specialist
Divorce Specialist
Relocation Specialist



COUNCILS

Agent Advisory
Agent Diversity
Sterling Society



LIVES IN

New Smyrna Beach



FAMILY

Two daughters in school



ENJOYS

Tennis, Golf, Disc Golf, Pickleball & The Beach

ALLPHASE
REALTY

404.569.8048
MikeG@AllphaseRealty.com



Keep Current

Mortgage

It is vital that you ensure the mortgage payment is current and that foreclosure proceedings have not been filed.

Insurance

If the property is in probate you may not be able to change the policy, contact the insurer to determine your options to maintain insurance during the probate period.

Utilities

It is important to keep the power on so you can maintain an even temperature in the house to avoid conditions conducive to mold growth that can lead to expensive repairs.

Title

It is important to have a title search done so that you know of any liens, judgements or clouds on the title prior to making a decision to keep, rent or sell.

HOA Dues

Contact the HOA (if applicable) and make sure you know the status of the dues and bring them up to date to avoid a lien being placed on the property.

Property Taxes

Contact your local tax authority and make sure the taxes are current to avoid a lien being placed on the property.

Check the Services

Plumbing

Check and repair existing leaks, replace old worn out plumbing or modify any plumbing situation that could lead to problems.

Electrical

Have an electrician confirm that the electrical is in proper working condition.

HVAC

Check and replace filters, and have an HVAC tech confirm the system is operating properly.

Roofing

Have the roof inspected for leaks, cracked or missing tiles/shingles, and that all seals are in good condition.

Additional Areas

Attic

It is important to check the attic and make sure it is critter free, especially if it has been vacant awhile.

Landscaping

Keep the yard mowed and trim branches that are near or touching the house to keep insects out and reduce risk of damage.

Gutters

Clean any debris from the gutters to keep them functioning properly.



Mike Gunsallus

Certified Probate Real Estate Specialist

MikeG@AllphaseRealty.com

Direct 404.569.8048

Your Options

Important considerations when deciding on the best outcome for the property.

Keep & Rent: How much time & money would you need to invest? Carrying costs during preparation time? How will the property tax increase affect your ROI? What is the Cap Rate of leasing?

Keep & Move-In: How much time & money would you need to invest? Carrying costs during preparation? Have you accounted for the increased property tax rate. Do you have to buyout any other heirs?

Selling the Property: You should compare; Current Value vs Estimated Value after updates & repairs. We provide these analytics to help you maximize the return on your inheritance.

We can coordinate; Estate Sales, Painting, Hauling, Flooring, Cleaning, Inspections, Lawncare, Maintenance and more!

Your Benefits

Beneficial Resources

- Probate PR Duties Chart
- Probate Timeline
- Probate Guide Book

“Boots on the Ground”

- Reduces client trips to the property
- We meet your providers on-site

Full Market & Property Value Estimates

- Market information
- Comparable Sales & Value Estimate

Photos / Video of Property & Contents

- To help with asset & inventory process

Massive Agent Concessions

- Concessions of up to \$3,593*

Up to \$3,593 in Total Savings!

The services below include a full analysis & review of current market conditions, estimated sale price at Current Value vs Estimated Value after repairs/updates.

Full market & property valuation
\$300 Value

Property & contents photos
\$400 Value

Video of the property & contents
\$175 Value

Verifying the property is locked
\$129 Value

Probate resource guides & flyers
\$89 Value

Agent concessions toward your closing costs of up to*
\$2,500 + \$1,093 in Free Services = \$3,593

*Agent concession is payable only when the property is exclusively listed & closed with Mike Gunsallus on the Power Choice Plan. Promotional services cannot be converted to cash or equivalent. Agent concession is capped at \$2,500 per transaction and is paid at \$500 per \$100,000 in closed transaction amount.



Mike Gunsallus

Certified Probate Real Estate Specialist

MikeG@AllphaseRealty.com

Direct 404.569.8048



MIKE GUNSALLUS
The Probate & Trust Agent

My primary objective is to make sure my clients understand ALL of their options to make the best decision based on their unique needs. I have been helping families for years and I take pride in my work by building relationships and making new friends along the way.

I am passionate about what I do because my dad instilled a strong work ethic in me from a young age, and I dedicate my work to his memory.

Robert E Gunsallus; Jan 1946 - Dec 2023

ALLPHASE
●●●● REALTY



Direct 404.569.8048
MikeG@AllphaseRealty.com
www.LuxeHomeSales.net