



AN EXECUTOR'S GUIDE · NY · CT · NJ

Selling a Home in Probate & Estates

A clear, step-by-step guide for executors, administrators and families:
who can sell, what the courts require, taxes to watch for, and how to
prepare a loved one's home for sale.



Property Solutions Team · eXp Realty
(914) 483-2883 · info@pspteam.com
pspteam.com

The first 30 days

Losing someone you love is hard enough. Handling their home on top of everything else can feel overwhelming. The good news: you don't have to make every decision at once. In the first few weeks, focus on protecting the property and gathering information. Decisions about selling can wait until the legal authority is in place.

Protect the home

- ✓ Change or secure the locks and collect all keys
- ✓ Call the homeowner's insurance company. Many policies limit coverage for vacant homes, so ask about a vacancy policy or endorsement
- ✓ Keep heat and utilities on to prevent frozen pipes
- ✓ Forward the mail and stop deliveries
- ✓ Remove valuables, important papers and medications
- ✓ Arrange regular checks, lawn care and snow removal

Gather information

- ✓ Locate the will, if there is one, and the death certificates
- ✓ Find the deed, mortgage statements and any home equity line
- ✓ Collect property tax bills, insurance policies and utility accounts
- ✓ Note any liens, reverse mortgage or HOA, condo or co-op fees
- ✓ Contact an estate attorney to start the probate process
- ✓ Keep receipts for every estate expense you pay

Don't sign anything yet. Until the court formally appoints an executor or administrator, no one has authority to sign a listing agreement or contract to sell. Be cautious of anyone pressuring the family to sell quickly.

Who can sell the house?

The seller of an estate property is the estate itself, acting through a personal representative appointed by the court. If there is a will, that person is usually the **executor** named in it. If there is no will, the court appoints an **administrator**, often a close family member. The court issues documents, commonly called *letters testamentary* (with a will) or *letters of administration* (without one), that give that person authority to act.

New York

Estates are handled by the **Surrogate's Court** in the county where the person lived.

GOOD TO KNOW

Many wills give the executor power to sell real estate. Administrators, or executors without that power, may need court permission. Your attorney will confirm.

Connecticut

Estates are handled by the local **Probate Court**.

GOOD TO KNOW

A fiduciary generally needs the Probate Court's approval to sell real estate, often after notice to heirs and a hearing. Build this into your timeline.

New Jersey

Estates begin with the **County Surrogate**, who issues letters to the executor or administrator.

GOOD TO KNOW

Contracts include a three-business-day attorney review period, and an inheritance tax waiver may be needed before closing (see next page).

A typical timeline

Weeks 1–6

Secure the home, meet an attorney, file for letters

Months 1–4

Letters issued; valuation, clean-out and repair decisions

Months 2–6

List and market the home, or accept a cash offer

30–90 days

Contract, inspections, title clearance and closing

Every estate is different. Court schedules, disputes among heirs, missing documents or title issues can lengthen the process. Timelines are general estimates only.

Taxes, liens and title issues to plan for

Title companies want to know that every tax and lien tied to the estate has been handled before they'll insure the sale. These are the issues that most often slow down closings.

Estate & inheritance taxes

- ✓ **New York** has its own estate tax, with an exclusion amount of roughly \$7 million that adjusts yearly, and a "cliff" that can tax the whole estate once it's slightly over the limit. A release of lien may be needed for real property before closing.
- ✓ **Connecticut** has an estate tax with an exemption tied to the federal amount.
- ✓ **New Jersey** no longer has an estate tax but does have an **inheritance tax**. Transfers to a spouse, children, grandchildren and parents are generally exempt, but a tax waiver may still be required to release the lien on real estate.

Other items to watch

- ✓ **Mortgages & reverse mortgages** are paid off from sale proceeds at closing. Reverse mortgage lenders have specific deadlines, so contact them early.
- ✓ **Property taxes, water and sewer** must stay current to avoid penalties.
- ✓ **Liens and judgments** against the deceased may need to be resolved.
- ✓ **Stepped-up basis:** inherited property generally receives a new tax basis at the date-of-death value, which can greatly reduce capital gains. A date-of-death appraisal is valuable here.

We're not attorneys or tax advisors. Tax rules and thresholds change, and every estate is different. Work with your estate attorney and a CPA on legal and tax questions. We coordinate with them on everything related to the sale.

What to do with the house

Once the executor or administrator has authority, the family has several choices. The right one depends on the home's condition, the estate's finances, and what the heirs want.

Option	Best when	Things to consider
List on the market	The home is in reasonable condition and the estate can carry costs for a few months.	Usually the highest price. Requires clean-out, showings and some carrying costs.
Light prep, then list	A few targeted updates (paint, cleaning, landscaping) would meaningfully raise the price.	We'll show you which improvements pay off and which don't.
Sell as-is for cash	The home needs major work, is full of belongings, or the estate needs speed and certainty.	Fast and simple with no repairs or showings, but usually a lower price. Compare offers against listing.
One heir buys out the others	A family member wants to keep the home.	Requires a fair valuation, financing and agreement among heirs. Your attorney structures the transfer.
Keep and rent	Heirs want income and can manage a rental.	Landlord responsibilities, insurance changes and local rental rules apply.

When heirs disagree

It's common for siblings to see the house differently. One may want to sell quickly, another may want to keep it. Sharing the same information with everyone at the same time, including a professional valuation and a clear net-proceeds estimate, often helps families reach a decision. Your attorney can advise if a dispute can't be resolved.

Getting the home ready

Belongings & clean-out

- ✓ Let family members choose keepsakes first, with a clear deadline
- ✓ Have valuable items appraised before anything is sold or donated
- ✓ Consider an estate-sale company for furniture and collectibles
- ✓ Schedule donation pickups and a final clean-out crew
- ✓ Shred personal papers you don't need to keep

Repairs: what's worth it

- ✓ **Usually worth it:** deep cleaning, fresh paint, lawn and curb appeal, minor fixes buyers will notice
- ✓ **Often not worth it:** full kitchen or bath remodels, major system replacements before listing
- ✓ **Disclose, don't hide:** known issues like roof leaks or water in the basement

Pricing an estate home

Many estate homes haven't been updated in decades. The right price reflects condition, recent comparable sales and what buyers in that town expect. Pricing too high costs the estate months of carrying costs; pricing right attracts strong offers quickly.

Out-of-state executor?

If you live far away, we can be your eyes and ears: coordinating access for appraisers and contractors, managing the clean-out, sending photo and video updates, and handling showings. Closings can often be completed without you traveling, by arrangement with your attorney.

Keep good records. Track every estate expense, from utilities to repairs. Your attorney will need them for the estate accounting.

CHECKLIST

Executor's home-sale checklist

- ☐ Death certificates (several certified copies)
- ☐ Will, if there is one
- ☐ Letters testamentary or letters of administration
- ☐ Deed and survey
- ☐ Mortgage, home equity or reverse mortgage statements
- ☐ Property tax, water and sewer bills
- ☐ Homeowner's / vacancy insurance policy
- ☐ Utility accounts kept active
- ☐ HOA, condo or co-op documents and contacts
- ☐ Permits, certificates of occupancy, warranties
- ☐ Date-of-death appraisal for tax basis
- ☐ Tax waiver or lien release, if required
- ☐ Keys, alarm codes and garage remotes
- ☐ Record of all estate expenses paid

Key contacts

Role	Name	Phone / email
Estate attorney		
CPA / tax advisor		
Insurance agent		
Mortgage servicer		
Real estate agent	Property Solutions Team	(914) 483-2883 · info@pspteam.com

A steady hand when you need it most



Michael Vasquez

Team Leader, Property Solutions Team · eXp Realty

Our team specializes in sales that come with complicated circumstances, including probate, inherited homes and estates. We work alongside your estate attorney, keep every heir informed, and handle the logistics so you can focus on your family.

- ✓ Free, no-obligation valuation of the property
- ✓ Listing, marketing and negotiation
- ✓ Coordination with your attorney, CPA and title company
- ✓ Cash offer option for as-is sales
- ✓ Clean-out, repairs and vendor management
- ✓ Serving Westchester, the Hudson Valley, Fairfield & Bergen

Talk with us confidentially

Call **(914) 483-2883** or visit **pspteam.com/sell/probate-estate-sales**. There's no cost and no obligation.

This guide is for general information only and is not legal or tax advice. Laws, tax thresholds and court procedures change and vary by county. Always consult a licensed attorney and tax professional about your specific situation. Property Solutions Team · eXp Realty · 777 Westchester Ave, Suite 101, White Plains, NY 10604. Equal Housing Opportunity.