A GUIDE FOR EXECUTORS AND THE ATTORNEYS WHO SUPPORT THEM

THE PROPERTY SIDE OF AN ESTATE

CHARLOTTE WELLS
REAL ESTATE

360.441.5023
char@charlottewellsrealestate.com

wellsrealestate.com
Windermere Real Estate Whatcom

CHARLOTTE WELLS
REAL ESTATE

Table of Contents

- WHY WORK WITH ME 4
- WHAT IS PROBATE 5
- THE THREE-WAY PARTNERSHIP 6
- TIMELINE FOR LISTING A PROBATE PROPERTY 7
- PREPARING THE PROPERTY FOR SALE 9
  - DISCLOSURES AND DEFERRED MAINTENANCE 13
  - STRATEGIC PRICING 14
  - MY PROVEN MARKETING STRATEGY 16
- WORKING WITH MULTIPLE HEIRS 17
- FAQS 20
- CHOOSING THE RIGHT AGENT MATTERS - THE BOTTOM LINE 22

CHARLOTTE WELLS

REAL ESTATE

Why Work With Me

My default is to help, in my personal life and my business. I love helping people. This work has never been about sales volume for me. It is about helping people move smoothly through life's transitions.

Transition is the common denominator in every real estate transaction — upsizing, downsizing, a new job, a new town, more independence, less independence, and so on. These transitions are sometimes exciting, but they can also be traumatic and overwhelming. I view my work with families during estate sales as both a privilege and a service. I do whatever I can to relieve as much stress and anxiety as possible .

My Personal Commitment

- **I CARE** about each individual as a person, not a transaction.
- **I LISTEN** and act on the goals and objectives of the executor, the heirs, and the attorney rather than push my own agenda.
- **I EDUCATE** everyone involved on what to expect at every step of the process.
- **I STRATEGIZE and NEGOTIATE** to maximize the outcome for the estate and all parties involved.
- **I STREAMLINE** the process and champion every detail so nothing falls through the cracks.
- **I COMMUNICATE - IN FACT PROBABLY OVER COMMUNICATE** throughout the process so everyone has the same information and understanding, no surprises or blindsides.

The following pages outline the process and sets expectations for all parties involved.

Settling an estate can be a daunting and emotional task. I understand the stress that comes with this kind of responsibility and the importance of handling it with care and sensitivity. My role is to guide you through the property and market dynamics while working in close coordination with your attorney, who is protecting the legal side of the transaction. Together, we can help executors and heirs move forward with as little stress as possible.

What is Probate

What is Probate
When someone passes away owning real estate, that property cannot simply be sold or transferred to heirs right away. In most cases it must first pass through a legal process called probate. Probate is the court-overseen process that validates the deceased person's will, identifies their assets, settles outstanding debts and taxes, and ultimately distributes what remains to the rightful heirs or beneficiaries.

In Washington State, probate is handled through the Superior Court in the county where the deceased person lived. Washington is considered one of the more straightforward states for probate, and in most cases the process does not require the court to approve every decision along the way. When a personal representative — also called an executor — is granted what are known as nonintervention powers, they are authorized to manage and sell estate property without returning to the court for approval at each step. This is an important distinction that makes Washington's process more efficient than many other states.

> *Even though Washington's process is more efficient than many other states, every estate is Different . The timeline, the requirements, and the complexity of the process depend on the specific circumstances of each situation. That is why the estate attorney is the essential guide through this process — and why I work in close coordination with the attorney from the very beginning.*

When Probate Is Typically Required for Real Estate
Real estate is one of the primary reasons an estate goes through probate. In Washington State, probate is generally required when one or more of the following applies:

- The deceased did not leave a living trust that holds the property.
- The real estate is titled solely in the name of the deceased.
- The property must be sold to pay debts or distribute the inheritance among heirs.
- The total value of the estate exceeds $100,000. Washington does allow smaller estates to bypass probate using a simple affidavit, but that option is not available when real estate is involved, regardless of its value.

A note on Transfer on Death Deeds: Washington State does allow property owners to record a Transfer on Death Deed, which passes real estate directly to a named beneficiary without going through probate. If this deed is in place, the property transfer happens outside the probate process entirely. Your estate attorney will know whether this applies to the property in question.

The Three-Way Partnership

> *Selling an estate property is not something any one person navigates alone. It requires a working partnership between three parties, each with a distinct and equally important role; the estate executor and/or heirs, the estate attorney, me -your real estate professional.*
>
> *I do not provide legal guidance. I do not make assumptions about what the estate is authorized to do. I listen to your wants and needs, follow the attorney's lead on timing and legal readiness, and I make sure the property side is handled so that when the legal side is ready, we are ready too.*

Selling an estate property is not something any one person navigates alone. It requires a working partnership between three parties, each with a distinct and equally important role.

The **estate attorney** oversees the legal process. They ensure the executor has proper authority, that the estate is in legal order, and that all documents required to transfer title are in place before closing. They are the authority on what can and cannot happen, and when.

The **executor i**s the legal decision maker for the estate. Appointed by the court, they carry the responsibility of managing the estate's assets — including the real estate — in the best interest of all heirs and beneficiaries. It is a significant responsibility, often taken on during an already difficult time.

The **real estate agent** manages the property side of the transaction. My role is to assess the property, prepare it for the market, price it strategically, manage the sale process, and communicate clearly with all parties throughout. I do not provide legal guidance. I do not make assumptions about what the estate is authorized to do. I follow the attorney's lead on timing and legal readiness, and I make sure the property side is handled so that when the legal side is ready, we are ready too.

When these three roles work in coordination, the process moves more smoothly, the estate is protected, and the heirs are served well.

Timeline For Listing A Probate Property

Understanding the Timeline

One of the most common questions executors have is how long this is going to take. The honest answer is “That depends”. There are a number of factors to be considered.

- the condition of the property
- the complexity of the estate.
- the number of heirs involved
- where things stand in the probate process when I am brought in.

What I can offer is a general framework so that everyone involved has realistic expectations from the start. The estate attorney will have a clearer picture of the legal timeline. My job is to make sure the property side is moving in parallel so we are not creating delays on either end.

Phase 1 — Legal Authority Established (Weeks 1-4)

The executor is formally appointed by the Superior Court and granted authority to act on behalf of the estate. No real estate decisions should be made and no agent should be engaged until this step is complete. The will, if there is one, is filed with the court. The attorney guides this phase entirely. If ever I am contacted to sell an estate property, the first question I ask is “have you seen the estate’s attorney yet?” If not, we wait until you and I are both confident that the attorney has give you clearance to list the property and that you have the legal authority to act on behalf of the state?”

Phase 2 — Property Assessment and Planning (Weeks 2-6)

Once the executor has legal authority, I am engaged. Within the first week of engagement I walk the property and produce a written assessment covering current condition, deferred maintenance, what needs to be addressed before listing, and a realistic timeline from current state to market ready. This assessment is shared with the executor for review. The executor may consult the attorney if needed.

Phase 3 — Property Preparation (Weeks 4 -10)

Personal property is cleared. Utilities are transferred to the estate. The property is secured, cleaned, and any agreed-upon repairs or improvements are completed. I can help coordinate or manage this process and coordinate with vendors so the executor does not have to. The timeline for this phase varies significantly depending on the condition of the home and how quickly personal property can be addressed.

Phase 4 — Listing Preparation and Market Launch (Weeks 8-12)

Staging and professional photography are completed. Pricing strategy is finalized in consultation with the executor and attorney. Marketing materials are generated. The property is listed on the market.

Phase 5 - Offer, Contract, and Closing (Weeks 12 and beyond)

Offers are reviewed with the executor. I walk through every offer in plain language and flag any terms that may warrant attorney review before the executor signs. Once under contract, I coordinate inspection, appraisal, and all closing requirements. I stay in close contact with the attorney throughout to make sure all estate documents are in order for closing.

What Factors Impact the Timeline

Several factors can extend the timeline beyond the general framework above. These are not exceptions — they are common realities of estate sales that are worth anticipating.

- The condition of the property and the scope of preparation needed before listing.
- The speed at which personal property can be cleared, which is often the most emotionally difficult and time-consuming part of the process.
- Whether all heirs are in agreement and reachable when decisions need to be made.
- Outstanding legal or title issues that the attorney needs to resolve before the property can transfer.
- The current real estate market conditions in the area where the property is located.

Being realistic about the timeline from the beginning — rather than rushing and creating problems — is one of the most valuable things the attorney, the executor, and I can do together for the estate.

PREPARING THE PROPERTY FOR SALE

Getting the Property Ready

Estate properties present a unique set of preparation challenges. Many have been lived in for decades. Some have been vacant for a period of time before the sale process begins. Nearly all require some level of attention before they are ready for the market.

This is one of the areas where my experience with estate sales makes the most practical difference. I manage the preparation process and assist the executor in coordinating contractors, cleanout crews, moving vendors, etc., all while in communication with your attorney to ensure all legal matters related to the home are addressed. All this to help minimize the emotional demands of settling an estate. .

> *Preparing an estate property for sale is often difficult for an executor due to proximity to the home, perhaps has never lived in the home, and the emotional drain it can take.*
> *When selling a home we have control over ONLY three things, the condition of the home, marketing, and establishing a list price. Marketing and pricing are 100% dependant on the home's condition and how well we prepare it to go to market. I'll evaluate the home and provide a full roadmap, room-by-room if necessary, to guide the executor through what needs to be done to get the highest return on their investment of time and money.*
>
> *Not all real estate agents offer this kind of consultative approach and service level, but I do. I consider it a privilege and honor to your loved one to walk along side you in this way.*

What An Executor Might Not Think Of

Utilities

All utilities should remain active through closing. Buyers, inspectors, and appraisers need working electricity, water, and heat to do their jobs. I can assist in coordinating the transfer of utility accounts into the estate's name as early as possible to prevent service interruptions. If the home has been vacant, I verify that all systems are functioning and that no damage has occurred

Insurance

Standard homeowner's insurance policies often lapse or become void when a property becomes vacant. This is one of the most common and costly oversights in estate sales. I flag this issue immediately at engagement and work with the executor to ensure a vacant property or dwelling policy is obtained without delay. Gaps in coverage on a vacant property expose the estate to significant risk.

Property Security

As soon as the property is in the estate's control, the locks should be rekeyed or replaced. I recommend a secure lockbox with controlled access for any vendors or agents entering the property during the preparation period. For properties that will be vacant for an extended time, I coordinate periodic walkthroughs to monitor the condition of the home. Some insurance policies require documented check-ins to maintain coverage on vacant properties.

What Many Executors Underestimate

Personal Property

The home cannot be shown or sold effectively until personal property is cleared or a clear plan is in place for its removal. This step takes longer than most families expect, and it is often the most emotionally difficult part of the process.

I help the executor create a plan that works for the family, whether that means coordinating a professional estate sale company, connecting families with donation resources, or arranging cleanout services. Items of potential value, including artwork, jewelry, collectibles, and vehicles, should be identified and appraised before disposal. This protects the heirs and can affect the estate's overall valuation.

What Executors Can Do To Maximize ROI

Repairs, Maintenance, Improvements & Pre-Inspections

Once the property is clear and secure, I assess what repairs or improvements make sense given the estate's goals, timeline, and budget.

Why I Recommend Professional Home Inspections Prior to Selling
Often times I suggest a Pre-Sale Professional Home Inspection so that the executor knows the true condition of the home. Likely, having not lived in the home (at least recently) the executor might not know what maintenance has been kept up on or deferred. Knowing the condition of the home prior to the sale will ensure there are no surprises when a Buyer conducts a home inspection and allows us to price the home with as much information about its condition as possible.

After my assessment and/or the professional inspection, I help develop a plan with the executor. Not every repair or improvement generates a return. My job is to advise the executor on what will meaningfully impact marketability and sale price, and what can be disclosed and priced around instead. I can assist with finding reliable contractors, get competitive bids when appropriate, and manage access to the home for so the executor is not fielding calls and making decisions about things outside their expertise.

The Strategic Decision: Repair or Price Accordingly

When deferred maintenance is identified, the executor generally has two options to consider when finalizing the home preparation plan.

Options

1. Address it before listing. In many cases, targeted repairs increase the property's market value, reduce buyer objections, and result in a cleaner, faster sale. I advise on which repairs generate a meaningful return and which do not.

2. Sell as-is with transparent disclosure and pricing that reflects the property's condition. In some situations, particularly when the estate has limited funds, the timeline is tight, or the scope of work is significant, selling to a buyer who understands the "as-is" condition is the right call.

There is no single right answer. The best approach depends on the property, the market, the estate's financial position, and the timeline. I work through this decision with the executor and keep the attorney informed so that whatever path is chosen, it is well-documented and legally sound.

What is never the right path is failing to disclose known conditions (more on disclosure on the following page). Beyond the ethical obligation, concealing defects exposes the executor and the estate to legal liability after closing. My job is to make sure that does not happen.

Disclosures and Deferred Maintenance

What Executors Need to Know About Disclosures
Estate properties frequently have deferred maintenance. Roofs age. HVAC systems wear out. Repairs get put off. These are normal realities of a home that has been lived in for many years, and they do not have to derail a sale. What matters is how they are identified, disclosed, and addressed.

The Executor's Disclosure Obligation
In Washington State, executors have disclosure obligations even if they have never lived in the home. The general standard is *disclosure of known material defects and conditions the executor is aware of*, not a warranty that the property is in perfect condition. What qualifies as known, and how disclosures should be documented to protect the estate, is a question for the estate attorney.

A pre-listing inspection, ordered and paid for by the estate, is one of the most valuable tools available in an estate sale. It surfaces known issues before buyers discover them, gives the executor time to make informed decisions, and demonstrates good faith to buyers. It also significantly reduces the risk of a transaction falling apart mid-contract when a buyer's inspector finds something unexpected.

Strategic Pricing

Once the home is prepared, it's time to set the list price. I understand the unique challenges and opportunities that come with estate properties and you get to leverage experience in market analysis and pricing strategy, and I'll work closely with you to set a competitive price that attracts buyers while maximizing the estate's value. Ultimately, the list price is up to the executor; it's my job to give them as much information, data, and experiece as possible so they can make an informed decision.

Market Analysis

I conduct market analysis of the current real estate market trends and pricing dynamics within the area and the average time they remain on the market.

Competitive Pricing

I position your property price competitively and analyze similar sales in the area to ensure its price is aligned with market expectations.

Value Proposition

I emphasize the unique value of your property, such as location or renovation potential. We highlight these in your pricing strategy to attract more interest from right buyers.

Peer Review

As part of the local Windermere brokerage, your property is promoted at our sales meetings and toured by my peers who provide feedback on pricing and how they think the market will react to your property.

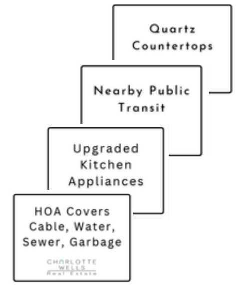
Incentives and Discounts

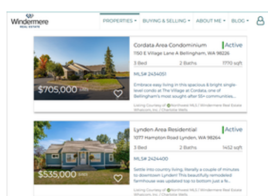
I'll consult with you to consider offering closing incentives or discounts for potential buyers who are willing to close quickly or pay in cash.

Regular Review and Adjustments

Continuously monitor the market and adjust pricing strategies as needed to remain competitive and responsive to changing conditions.

My Proven Marketing Strategy





What's Included

- Professional Staging Plan & Coordination
- Professional photography - Still & Drone (where valuable)
- Professional videography
- Virtual tours
- Digital and Print Flyers
- Cubicasa Floorplan Of Your Home
- Displayed on brokerage website
- Displayed on personal website
- Social media marketing campaigns
- My personal E-Newsletter
- Windermere Broker Tour
- Signage
- Targeted marketing communications, digital media, as appropriate
- Enhanced Listing Supplements for MLS
- Notify surrounding neighbors
- Personalized landing page on my website - QR code included on all marketing materials
- Resource book for agents and buyers, left in the home for showings
  - List of features of the home, HOA docs, other as needed
- “Talking House” signs posted throughout house to point out unique features and upgrades

CHARLOTTE WELLS
REAL ESTATE

Working With Multiple Heirs

When more than one person has a say

Estate sales frequently involve more than one heir. Sometimes several family members have a legal interest in the property. Sometimes they simply have strong feelings about it. Either way, the dynamics that arise when multiple people are involved in a real estate decision can be one of the most challenging aspects of the entire process.

It is also one of the areas where I have found the most opportunity to make a meaningful difference for families.

What heirs should understand

The executor has legal authority to make decisions, and that authority exists for good reason. Keeping heirs informed and involved generally makes for a smoother process, but decisions cannot require unanimous agreement among all parties if the will and the court have granted the executor authority to act.

Delays caused by unresolved heir disagreements have real costs. Carrying costs accumulate. The market shifts. The property sits. A sale price slightly below what one heir hoped for is almost always a better outcome than a prolonged dispute that costs the estate time, money, and family relationships.

How I Navigate Multiple-Heir Situations

Establishing clarity from the start.
At the beginning of every estate sale, I confirm with the attorney who holds legal decision-making authority. That person is the executor, and I take direction from them. The executor will decide if I communicate only with them or if I am to keep the heirs infolmed along the way.

When the executor chooses that I communicate with them and the heirs. I will

- **Set expectations:** I make clear to all parties that while I welcome input from heirs and work to keep everyone informed, I cannot take conflicting instructions from multiple people. This is not about excluding anyone. It is about keeping the process moving and protecting the executor's authority who is charged with carrying out the wishes of the deceased.

- **Communicating consistently and in writing.** I provide the same written updates to all involved simultaneously. No one receives different information than anyone else. Equal, transparent communication eliminates one of the most common sources of heir conflict and gives the executor a clear record that everyone was kept informed.

- **Presenting data, not opinions.** When heirs disagree about pricing, about repairs, about timing, I present market data, inspection findings, and documented comparables. Decisions grounded in facts are easier for families to reach and easier for executors to defend. My job is to give everyone the same objective information and let the executor make the call.

- **Anticipating conflict before it surfaces.** I have seen the same dynamics arise in estate sales repeatedly. The heir who wants to hold out for a higher price. The sibling who feels emotionally attached to the home and is not ready to let go. The out-of-state heir who feels left out of decisions. I address these dynamics proactively rather than waiting for them to disrupt the transaction.

- **Knowing when to step back.** Some disagreements between heirs go beyond real estate. They involve family history, old grievances, and grief. When a conflict moves into that territory, I know how to step back and let the attorney take the lead while keeping the transaction intact and ready to move forward when the family is ready.

FAQs

These are the common questions we hear and trust us to make the process as smooth and profitable as possible, allowing you to focus on what truly matters during this time.

Can we sell the house during probate?
Yes, but only the court-appointed executor or administrator can sell the property, and in many cases, the sale may require court approval depending on the level of authority granted.

How long does a probate sale take?
Probate timelines vary by state and complexity of the estate. A probate home sale may take 3–6 months or more, especially if court confirmation or family disputes are involved.

What if heirs disagree?
Disagreements among heirs can delay the process. It's important to have clear communication and rely on the executor and probate attorney to resolve disputes.

What costs should we expect in a probate sale?

- Appraisal fees
- Attorney and court fees
- Real estate commissions
- Property maintenance (utilities, insurance, etc.)
- Escrow/title costs

Who gets the money from the home sale?

- Proceeds from the sale go into the estate account to:
- Pay debts and taxes
- Pay court/administrative fees
- Distribute remaining funds to heirs as directed by the will or state law

Choosing The Right Agent Matters

Choosing the Right Agent Matters More in an Estate Sale
Not every real estate agent is equipped to handle an estate sale. The legal complexity, the emotional dynamics, the property preparation challenges, and the communication demands of this kind of transaction require specific experience and a specific temperament. Each estate is a bit different and I approach each one knowing it will be unique. Making assumptions can cause delays, legal complications, and risk for the estate and the real estate agent.

Here are some examples of my estate experience

- *None of heirs lived in the state where the estate property was located. I knew one of three grandchildren who were left equal thirds of their grandfather's home but only one was the executor. Property in one state, heirs in two different states.*
- *I represented a son with three step-siblings in another state (one of who had passed away and his heirs were involved on his behalf) who all had a say in selling the house. A lot of dynamics and misunderstandings of their parents wishes existed with these step-siblings.*
- *My client was a daughter-in-law who was the executor of the estate and worked very hard to keep her spouse and his siblings informed during the process and satisfied with the sale price, a challenge for sure.*
- *My friend hired me to help sell an investment property after the sudden death of her husband, a contractor. His half of the ownership was in his estate. I was able to take the bulk of the preparation off her plate. She was overwhelmed and actively grieving the sudden loss of her husband.*

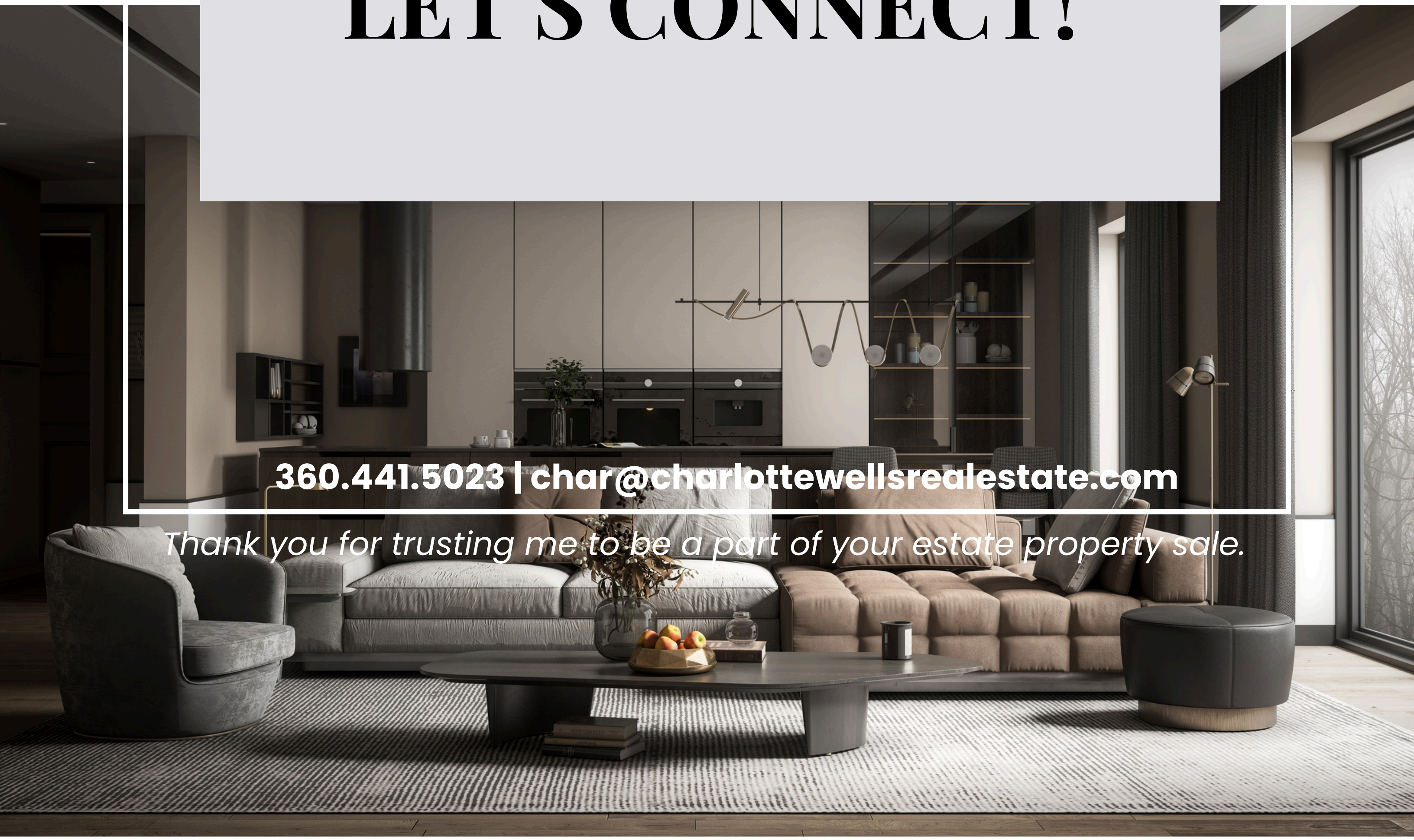
The Bottom Line

"Here is what I want you to know about how I work and where I add the most value. ***I stay in my lane.***
I am a real estate professional, not an attorney. I don't give legal advice, rather I point executors and heirs back to their attorney.
That's why the Three-Way Partnership is so important. We each do our part and collaborate for the best outcome for our clients.
I measure my success not by sales volume but by how well I serve my clients through this difficult process.
I truly care about the outcomes and taking care of people along the way."

CHARLOTTE WELLS
REAL ESTATE

Real Estate. Real Connections. Real Results.

LET'S CONNECT!



360.441.5023 | char@charlottewellsrealestate.com

Thank you for trusting me to be a part of your estate property sale.

REALTOR®

RSPS
Resort & Second-Home Property Specialist

Windermere
REAL ESTATE

8105 Birch Bay Square, Suite 101
Blaine, WA 98230