



## **Case Study: Is Court Confirmation Required for All Probate Property Sales?**

The short answer? No. *But...*

If the Executor/Administrator of the estate has been given "limited authority" the sale *requires* court confirmation.

If the probate property is a Trust Sale *or* if the Executor/Administrator of the estate has been granted "full independent powers (IAEA)," the sale *may not require* court confirmation.

If the Administrator has full independent powers, he or she may elect to list the real property for sale. Once an offer is accepted, the estate's attorney mails out a Notice of Proposed Action stating the terms of the proposed sale to all the heirs. The heirs have 15 days to object to the sale. If there is no objection within 15 days, the sale can proceed without a court hearing requirement; if there is an objection, the sale requires court approval.

Regardless of the details of the probate transaction, sellers are strongly encouraged to work with a probate attorney to protect the estate's interests.

Learn more about the process of [selling real property through a probate transaction](#) or call **The Sanborn Team** and let us assist you: **310-777-2858**.