



What to Expect When Selling Estate Property

A Guide for Arizona Personal Representatives — Arizona Probate Institute

Selling real property as part of a probate estate is different from a standard home sale — but it doesn't have to be complicated. This guide walks you through what to expect at every stage.

CAN YOU SELL BEFORE PROBATE IS OVER?

The Short Answer: Usually Yes

In most Arizona probate cases, once you've received your Letters of Personal Representative from the court, you have the legal authority to list, sell, and close on estate real property. You do not have to wait until all debts are paid, all heirs have signed off, or the court has issued a final discharge order.

Why This Matters

Every month the property sits vacant costs the estate money. In the Phoenix metro area, typical monthly carrying costs for a vacant estate property include: property taxes (\$150–\$400/month), homeowner's insurance (\$100–\$200/month), utilities if kept on (\$100–\$250/month), HOA fees if applicable (\$50–\$400/month), and basic maintenance (\$50–\$200/month). Over 6 months, this can total \$2,700–\$8,700 or more — money that should go to heirs.

Exception: Court Confirmation

Some Arizona probate sales require court confirmation — meaning the court must approve the sale before it closes. This typically applies when the Will is silent on sale authority, or in certain formal administration proceedings. Your attorney and your C.P.R.E.S.™ specialist will advise you on whether court confirmation applies to your situation.

UNDERSTANDING 'AS-IS' SALES

What As-Is Really Means

Most estate properties are sold 'as-is' — meaning the estate is not making repairs or providing warranties about the property's condition. This is standard practice and completely acceptable in Arizona.

What As-Is Doesn't Mean

Selling as-is does not mean hiding known defects. Arizona law requires disclosure of material defects known to the seller — even in estate sales. Your C.P.R.E.S.™ specialist will guide you through proper disclosure practices so you are protected throughout the transaction.

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As-Is Doesn't Mean Low Price

Many executors assume 'as-is' means accepting investor low-ball offers. That is not true. A properly marketed as-is estate property can attract full-market buyers, owner-occupants, and investors at competitive prices. Pricing and marketing strategy are everything.

THE ESTATE SALE PROCESS — STEP BY STEP

Step 1: Free Market Analysis

Your C.P.R.E.S.™ specialist provides a Comparative Market Analysis at no charge. This gives you defensible data on what the property is worth in today's market — useful for pricing decisions, heir conversations, and court documentation.

Step 2: Listing the Property

Once listed on the MLS, the property is marketed to the full pool of buyers — not just investors. Professional photography, accurate disclosures, and correct legal titling as an estate property are all part of the listing process.

Step 3: Reviewing Offers

All offers are evaluated in light of the estate's best interest. Your specialist presents each offer with a clear analysis of terms, price, financing, and contingencies. You make the decision — with full information.

Step 4: Escrow and Closing

Once an offer is accepted, the transaction moves into escrow. The title company will require Letters of Personal Representative, a death certificate, and may require court authorization depending on the type of probate administration. Closing is typically 30–45 days from acceptance.

Step 5: Proceeds to the Estate

All sale proceeds are deposited directly into the estate bank account — not distributed to heirs at closing. Distribution to heirs happens after debts, taxes, and expenses are settled.

WORKING WITH MULTIPLE HEIRS

Common Challenges

When multiple heirs are involved, disagreements are common. One heir may want to sell immediately; another may want to wait; another may want to keep the property. As Personal Representative, your legal duty is to act in the best interest of the estate — not any individual heir.



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How a C.P.R.E.S.™ Specialist Helps

A Certified Probate Real Estate Specialist serves as a neutral, data-driven third party. By presenting actual market data — not opinions — we help remove emotion from the pricing and timing conversation. Most family disagreements resolve quickly when everyone is working from the same facts.

Your Fiduciary Duty

As Personal Representative, you are personally liable for decisions that harm the estate. Selling quickly to avoid carrying costs, using a professional, and documenting all decisions protects you — not just the heirs.

MONTHLY CARRYING COST REFERENCE — PHOENIX METRO AREA

Property Taxes	\$150 – \$400	Depends on assessed value
Homeowner's Insurance	\$100 – \$200	Vacant property rates may be higher
Utilities	\$100 – \$250	If kept on for maintenance
HOA Fees	\$50 – \$400	If applicable
Lawn & Basic Maintenance	\$50 – \$200	Required to maintain insurance
Total Monthly Range	\$450 – \$1,450+	Over 6 months: \$2,700 – \$8,700+

■ Free Consultation — No Obligation

Tim Hensley · C.P.R.E.S.™ · 480-535-1950 · arizonaprobateinstitute.com · tim@arizonaprobateinstitute.com

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