

Navigating Probate & *Real Estate Trusts*

A Compassionate Guide for Personal Representatives and Trustees

Understanding your options, timelines, and responsibilities during a real estate transition.

Vladimir Bellemo

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CALIFORNIA ASSOCIATION OF REALTORS® CERTIFIED PROBATE & TRUST SPECIALIST (CPTS®)

NATIONAL ASSOCIATION OF REALTORS® SENIORS REAL ESTATE SPECIALIST (SRES®)

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RESHAPE Real Estate

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If you have recently been named an Executor, Administrator, or Successor Trustee, please accept my sincere condolences for your loss. Stepping into this role is an honor, but it often comes with a steep learning curve and a heavy emotional weight.

"When real estate is involved, the responsibilities can feel overwhelming. My goal with this guide is to demystify the legal terminology, outline the clear steps ahead, and provide you with a roadmap. You do not have to walk this path alone."

With over 30 years of full-time real estate experience right here in Southern California, I am here to ensure this process is handled with the utmost dignity, transparency, and care.

Vladimir Bellemo

BROKER ASSOCIATE
30+ YEARS

CREDENTIALS

- ✓ Certified Probate & Trust Specialist (CPTS®)
- ✓ Seniors Real Estate Specialist (SRES®)
- ✓ Accredited Buyer's Representative (ABR®)
- ✓ 30+ Years — Southern California
- ✓ RESHAPE Real Estate · Buena Park, CA

OUR PROMISE

"Our Code of Ethics isn't just a professional standard — it's a personal promise to protect your family's best interests every step of the way."

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GLOSSARY OF COMMON TERMS

Executor Named in a will; administers the estate through probate.

Administrator Court-appointed when no valid will exists.

Trustee Manages trust assets for beneficiaries, without court supervision.

Probate Court-supervised process of validating a will and distributing assets.

Letters of Administration Court-issued authority for the Executor to act.

Intestate Dying without a will; California's intestacy laws govern distribution.

Beneficiary Any person or entity entitled to receive assets from an estate.

Fiduciary Duty The legal obligation to act in beneficiaries' best interests.

Decedent The legal term for the individual who has passed away.

■ Probate Sale

Court-supervised process

■ Trust Sale

Private administration

Feature	Probate Sale	Trust Sale
Court Supervision	Yes — supervised by the CA Probate Court	No — administered privately outside of court
Who Signs?	Executor or Court-Appointed Administrator	Successor Trustee named in the Trust
Timeline	Typically several months to a year or more	Can move as quickly as a standard residential sale
Public Record	Yes — filings and details are public	Private — keeps family matters confidential
Flexibility	Limited — court sets the schedule	High — Trustee controls the process

In a probate sale, an offer may trigger a court confirmation hearing where overbids are allowed. A Certified Probate Specialist navigates this process to protect the estate's interests. In a trust sale, the Trustee lists and sells without court approval — like a standard sale — while still upholding fiduciary duty to obtain fair market value.

If the property is in probate, the court dictates the schedule. The typical real estate journey unfolds in five distinct stages:

1

COURT PHASE

Petition for Probate (Weeks 1–8)

A petition is filed with the Orange County Superior Court. The court appoints the Personal Representative — either the named Executor or a court-appointed Administrator. A hearing date is set, typically 6 to 8 weeks out.

2

COURT PHASE

Letters of Administration

The court issues “Letters” granting legal authority to act and sign on behalf of the estate. An estate bank account is opened. These are your essential credentials for every subsequent step.

3

ADMINISTRATION

Inventory, Appraisal & Debts (Months 3–9)

A court-appointed Probate Referee provides an independent valuation of all estate assets. Valid creditor claims are paid from estate funds. The decedent’s final tax return is filed. All real estate is maintained throughout.

4

FINAL STAGES

Marketing & Listing (Months 9–12+)

The property is placed on the market. Depending on whether you hold Full or Limited Authority under the IAEA, court confirmation and overbidding may be required after an offer is accepted.

5

FINAL STAGES

Closing & Distribution

Escrow closes. Funds go into the estate account. The attorney handles final court approval for distribution of proceeds to beneficiaries. The Executor receives a formal discharge — their duties are complete.

Patience is essential. California probate is thorough by design — it exists to protect both beneficiaries and creditors. A knowledgeable team makes each step manageable.

Securing and protecting the asset is your first duty as a fiduciary. The weeks following a loss are a blur of grief, phone calls, and paperwork. Complete each of these steps as early as possible:

Locate the Will & Trust Documents

Find the original will, any trust documents, and key estate documents. Secure birth certificate, Social Security card, passport, and military discharge papers.

Order Certified Death Certificates

Order a minimum of 10–12 certified copies from the funeral home or county recorder. Banks, agencies, and title companies all require originals.

Secure the Property

Change the locks immediately. Uninhabited homes are targets for theft and vandalism. A key lockbox for agents should be installed only when the property is formally listed.

Maintain Insurance

Contact the homeowner's insurance provider. Vacant properties often require a specific "vacant home" rider — standard policies may not cover an unoccupied dwelling.

Keep Up Utilities & Maintenance

Do not let water, gas, electricity, or landscaping lapse. A neglected home loses value quickly and may trigger HOA violations or code enforcement.

Gather Financial & Legal Documents

Locate the deed, mortgage statements, property tax bills, HOA documents, bank accounts, investment accounts, and all recurring bills.

Notify Key Parties

Notify Social Security, Medicare, the U.S. Postal Service, the California DMV, and the decedent's employer, pension, or retirement plan administrators.

Inventory Personal Belongings

Coordinate with all family members before discarding, selling, or moving any items. Disputes over belongings can complicate and delay the sale.

One of the hardest decisions for an estate representative is whether to renovate or sell in its current condition. There is no universal answer — it depends on the property’s condition and the market.

■ The “As-Is” Route

Fiduciaries are generally exempt from standard seller disclosures (like the TDS). Selling as-is saves the estate time, upfront capital, and emotional energy — attracting cash buyers and seasoned investors.

Best when: Property needs significant work · Timeline is tight · Cash is limited

■ The Value-Add Route

Sometimes simple fixes — fresh neutral paint, removing dated carpeting, clearing clutter — can net the estate tens of thousands of dollars more at closing. The key is knowing which improvements yield real returns.

Best when: Property is structurally sound · Market favors move-in ready homes

HOW I HELP

I provide a complimentary property walk-through and cost-benefit analysis — so the estate never spends a dollar on improvements that won’t be recovered at sale.

PREPARING THE HOME FOR MARKET

1 | Complimentary Pre-Market Assessment

A no-obligation walkthrough evaluates current condition, identifies high-impact improvements, and establishes a realistic pricing strategy for the current Orange County market.

2 | Strategic Preparation — Not Over-Improvement

Highest-ROI investments: fresh neutral paint, deep cleaning, landscaping and curb appeal, fixture updates, and minor repairs that would appear on a buyer’s inspection report.

3 | Professional Photography, Marketing & Transparent Communication

Premium marketing — professional photography, drone imagery, broad MLS exposure — ensures maximum buyer competition. All beneficiaries and the estate attorney are kept informed at every milestone.

An estate sale requires far more than a yard sign. It demands a strategic, modern approach to connect with the right buyers and maximize the net proceeds for beneficiaries.

■ Hyper-Local Google Ads

Targeted campaigns reaching buyers actively searching for homes in Central and North Orange County — right when they're ready to act.

■ Engaging Video Marketing

Weekly video content and custom property tours that tell each home's story — driving thousands of views and attracting qualified out-of-town buyers.

■ A Vetted Expert Network

Estate clean-out crews, appraisers, coordinators, and probate attorney referrals — all pre-screened and ready to mobilize when you need them.

OUR COMMITMENT

Every estate property receives the same full-service marketing package we provide our highest-value residential listings. Beneficiaries deserve maximum exposure — regardless of the property's price point.

SECURING & PROTECTING THE PROPERTY

- **Change all locks immediately:** Front, back, side, and garage doors. Collect all spare keys.
- **Secure all valuables:** Document and remove jewelry, art, firearms, and cash.
- **Contact the insurance carrier:** A vacancy endorsement may be required.
- **Schedule regular visits:** At least weekly — inspect for changes, check mail.
- **Maintain utilities & landscaping:** Prevents damage; avoids HOA fines.
- **Document everything:** Photograph condition at outset and each visit.

Q: Do I have to pay the estate's debts out of my own pocket?

A: No. Estate debts are paid from estate funds — not your personal assets. You are fully protected provided you fulfill your fiduciary duties properly and do not act negligently or in bad faith.

Q: What is a fiduciary duty, and what happens if I make a mistake?

A: You are legally required to act in the beneficiaries' best interests at all times. Honest mistakes made in good faith and with proper documentation are treated differently than willful negligence. When in doubt, consult your estate attorney first.

Q: How do real estate commissions work in probate?

A: Commissions are paid from the estate's proceeds — not out of pocket. They are subject to court approval and are typically consistent with standard California commission rates.

Q: Can the property be sold 'as-is' in probate or a trust?

A: Yes. Many estate properties sell in their current condition. The key is accurate disclosure and strategic pricing. Your specialist will guide you on which improvements, if any, are worthwhile.

Q: What if family members disagree about selling the property?

A: The Executor's legal obligation is to the estate, not any individual family member. A beneficiary wishing to retain the property may be able to buy out the others' interests; an estate attorney can facilitate mediation.

Q: How long does it take to sell an estate home in Orange County?

A: A well-prepared home typically goes into contract within 30 to 60 days of listing. In probate, add 45 to 60 days for court confirmation. Trust sales can close on a more conventional timeline.

Q: Do I need a specialist, or will any real estate agent do?

A: A Certified Probate & Trust Specialist is strongly recommended. Estate sales involve distinct legal processes, court timelines, and coordination with attorneys and multiple beneficiaries — experience matters enormously.

Of all the tasks an Executor faces, clearing and inventorying personal property is often the most emotionally taxing. Approach this process with both methodical organization and compassionate patience.

STEP 1 — DOCUMENT BEFORE YOU MOVE ANYTHING

- Photograph and video every room before anything is disturbed — your baseline record for the court inventory.
- Note the condition of all items, room by room. Do not discard, donate, or move anything until you have a complete visual record.

STEP 2 — CREATE A FORMAL INVENTORY

California probate requires a formal inventory completed by a court-appointed Probate Referee. Your informal inventory supports and complements this formal process.

- High-value items (art, jewelry, collectibles, antiques, firearms): photograph individually and obtain professional appraisals.
- Financial documents, deeds, titles, and legal papers: collect and secure immediately.
- Digital assets: document usernames and note their existence for the estate attorney.

STEP 3 — SORT INTO THREE CATEGORIES

DISTRIBUTE TO FAMILY

- Items requested by beneficiaries
- Sentimental heirlooms
- Items bequeathed in the will

LIQUIDATE

- Furniture & household goods
- Collectibles with market value
- Estate sale or auction candidates

DONATE / DISCARD

- Clothing and linens
- Everyday household items
- Local charities & shelters

PROFESSIONAL RESOURCES

- **Estate Sale Companies:** Handle pricing, staging, advertising, and running the sale — typically on commission.
- **Liquidators & Auction Houses:** For high-value or specialty items, often yielding the best financial outcome.
- **Clean-Out Services:** Remove remaining items efficiently and coordinate donation drops after the sale.

You do not have to do this alone. The right network of professionals can handle the physical work — freeing you to focus on the decisions that matter most.

Probate and trust properties are often sold by representatives who have never lived in the home. Buyers can feel hesitant about unknown underlying issues — and hesitant buyers make low offers, or walk away entirely. To remove that hesitation, every estate listing I represent includes the certificate below.

CERTIFICATE

Congratulations! We are delighted to inform you that Vladimir Bellemo from RESHAPE Real Estate is offering you an exclusive opportunity. If you choose to list your property for sale with Vladimir Bellemo, you will receive a complimentary "One Year Home Warranty Protection Plan", covering the Buyer, valued at up to \$1,000.00. This plan, provided by First American Home Warranty, ensures peace of mind for the buyer of your property by covering potential repairs and replacements. It's a fantastic way to add value to your listing and attract potential buyers. We look forward to assisting you with your real estate journey and ensuring a smooth and rewarding experience.

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✓ Fewer inspection objections

✓ Stronger, more confident offers

✓ Faster close timelines

✦ LET'S BEGIN

Let's Form *Your Strategy*

"You are carrying a lot of responsibility right now, but you don't have to carry it alone. Let's sit down for a complimentary, no-obligation Consultation Strategy Session."

We will review the property, discuss your timeline, and map out a stress-free plan tailored to your family's specific needs — at no cost and with no obligation.

AGENT

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SERVICE AREA

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