

“The following is a very general checklist. This checklist may be helpful in preparing for a scheduled hearing before the court. Since each case is different, other documents may be required.”

SALE OF REAL PROPERTY For ESTATES (CP)

Step A: Insure that file is CURRENT (all files must be current)

1. Order appointing Personal Representative and Letters of Administration filed. Notice to creditors pursuant to F.S. 733.2121, unless F.S. 733.710 is applicable. *If* Restricted Depository not yet opened in the estate, need Petition and Order Designating Restricted Depository. F.S. 69.031
2. Inventory – Filed within 60 Days after Letters of Administration are Issued. F.S. 733.604, F.P.R. 5.340
3. Acceptance and Receipt of Depository – (If you have liquid assets – Due within 30 days after Letters of Administration are Issued.) Pursuant to F.S. 69.031
4. Verified Statement/Statement Regarding Creditors – filed within 4 months after publication (i.e. the creditor/publication period has run). F.P.R. 5.241(d). Creditor claims must also be resolved.

Step B: eFile:

1. Petition for Order Authorizing the Sale of Real Property, signed by Personal Representative and Attorney, including statement that the contract is fair market price, sale is arm’s length transaction, include property legal description and street address. (F.P.R. 5.370)
2. If Petition is unsigned by Personal Representative, include separate consent by P.R. (F.P.R. 5.330)
3. Copy of Sales Contract attached
4. Copy of Appraisal or Broker’s Letter (signed by broker) with comparable market analysis (CMA) (appraisal only if over \$600K)
5. Consents of ALL residuary beneficiaries in the estate, or proof of formal notice (F.P.R. 5.040) without objection or set a hearing with notice.

Step C: Submit Proposed Order on Sale of Real Property via eCourtesy or bring said order to an ex-parte or scheduled court hearing. Order must match petition and include language that proceeds shall be deposited into Restricted Depository until further order of this Court.

Note- Please see the forms section of the [Probate Attorney’s Corner](#) as it contains numerous standardized petitions and orders that must be used where available.